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INVESTIGATION OF MEXICAN AFFAIRS

HEARING

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

SIXTY-SIXTH CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 106

DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS
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INVESTIGATION OF MEXICAN AFFAIRS.

THURSDAY, APRIL 29, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., April 29, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF MOTHER ELIAS DE STA SACTO.

Mr. KEARFUL. You may give your name.

Mother ELIAS. My name is Mother Elias de Sta Sacto. My family name is Maria Thierry. The Spanish name in the order is Maria Elias del Santissimo Sacramento.

Mr. KEARFUL. What is your age?

Mother ELIAS. Forty-one.

Mr. KEARFUL. What is your nationality?

Mother ELIAS. Mexican.

Mr. KEARFUL. Are you a member of a religious order?

Mother ELIAS. Carmelite, Discalced Carmelite.

Mr. KEARFUL. Known in English as "Barefooted Carmelite?"

Mother ELIAS. Yes, sir.

Mr. KEARFUL. Were you connected with that order in Mexico?

Mother ELIAS. Yes, sir. I was living in the City of Mexico. From there we went to Queretaro.

Mr. KEARFUL. Were you there during the time of Porfirio Diaz?

Mother ELIAS. Yes, sir.

Mr. KEARFUL. And later during the time of Madero?

Mother ELIAS. Yes, sir. I was in the convent when Madero came in. I was already 15 years in the convent.

Mr. KEARFUL. Were you there at the time of the revolution of Carranza?

Mother ELIAS. Yes, sir; until six years ago we left.

Mr. KEARFUL. Did you have any trouble during the time of Porfirio Diaz or Madero?

Mother ELIAS. During the time of Porfirio Diaz we really did not have any, because his wife was a Catholic, and he did not care. He did not do anything against the Catholics.

Mr. KEARFUL. Were you molested during the Madero rule?

Mother ELIAS. No, sir; really not. He only passed through the place where we were. He passed through Queretaro, but he did not trouble us.

Mr. KEARFUL. When did your first troubles begin?

Mother ELIAS. I think in 1914, or 1913. We had to leave the convent, because we were sent away at that time for precaution. We had the sisters there, and I said, "Well, mother, it is better to leave the convent and go in small houses," and when we left the convent, in a few days after that they came and took possession of the convent.

Mr. KEARFUL. You mean the Carranza soldiers?

Mother ELIAS. The Carranza soldiers; yes, sir.

Mr. KEARFUL. What do you know about the reported desecration of churches by the Carranza soldiers at that time?

Mother ELIAS. Well, at that time, I, myself, saw many things they did. We had to go from place to place, in caring for the nuns, to keep them from taking the nuns up in the hills with the soldiers. Of course, we did not want to give up the nuns. We used to move from place to place.

Mr. KEARFUL. You were hiding from the Carranza soldiers; moving from place to place, were you?

Mother ELIAS. Moving from place to place, because they used to come through the roof, instead of entering through the door. I remember I spent 22 nights taking care of the nuns.

Mr. KEARFUL. What have you seen about the desecration of the churches and the holy sacrament?

Mother ELIAS. Well, I have seen several things. In the first place, when they took possession of a city, right away they took the keys of the churches, and they said the Government was the owner of the churches, and that the cities, and the holy communion would belong to the people. As soon as the Carranza soldiers entered the city they seized the keys of the churches, so the priests could not come from the houses and take care of the tabernacles and leave them empty. The soldiers took the ciboria and emptied the contents, which was the sacred Hosts, into the oats for the horses.

Mr. KEARFUL. Please proceed with your story.

Mother ELIAS. Many times the Catholic ladies used to come to me and say, "Mother, would you mind to go out with me? They have emptied the ciboria to give to the horses." I did not believe it. Surely, I could not believe such a thing. But I went with them, and we tried to find out. So I saw them trying to destroy them.

Mr. KEARFUL. What was your purpose in entering?

Mother ELIAS. To save the blessed sacrament from the profanation, you know. Of course, they left them there for profanation; gave them to the horses. We find many cases like that. They would take the vestments and put on the horses' necks, and different profanations like that.

Mr. KEARFUL. You mean they used the sacred vestments for saddle blankets?

Mother ELIAS. Yes; and shot the tabernacles in almost every church.

Mr. KEARFUL. The tabernacle is the receptacle in which the sacred Host is kept?

Mother ELIAS. Yes, sir. There was no place, no town, where there was not that kind of profanation, in every place, everywhere. Then I saw many times how they burned up the confessional. I was going

down to Mexico, and we had to stop many times on the way, and I saw in a church where the blessed sacrament was exposed, and hundreds of men came and shot the ostensoria, and then disappeared.

Mr. KEARFUL. What did they do, if anything, with the chalices and other vessels?

Mother ELIAS. Several times widow women used to come to our door, because they knew we were nuns, and used to bring the chalices there to sell them. Many times they said, "Sister, will you buy a chalice?" I bought it sometimes for 10 cents, because there were places they used to drink from the chalices and the ciboria, and then threw them down in the street.

Mr. KEARFUL. You mean the soldiers stole the chalices from the churches and sold them to people for what they could get?

Mother ELIAS. Yes, sir; and they would drink in them.

Mr. KEARFUL. Then they would be offered to you for sale by women on the street?

Mother ELIAS. Yes, sir; in the house in Mexico we have some chalices that we bought at that time.

Mr. KEARFUL. According to the doctrine of the Catholic Church is it permissible for one other than a Catholic priest to touch the sacred Hosts?

Mother ELIAS. No, sir.

Mr. KEARFUL. Is it considered the worst crime that can be committed by any person who violates those holy things?

Mother ELIAS. Yes, sir; it is sacrilege.

Mr. KEARFUL. Is that the way that the Mexican members of the Catholic Church feel about it?

Mother ELIAS. Well, you know soldiers are so ignorant. They do what they are told to do.

Mr. KEARFUL. I mean apart from the soldiers, the inhabitants of the towns and members of the churches; is that the way they feel about the sacredness of those things?

Mother ELIAS. Of course, everybody thinks that way.

Mr. KEARFUL. What do you know about the violation of the sisters, members of the order?

Mother ELIAS. When I was going down to Mexico to get my sisters—my younger sisters, Carmelite nuns—that I divided among their own families—when I was going down to Mexico to advise them how long I had to be absent from them—on the way I met with six or more of women who said they were sisters, and they said, "Have mercy on us." They said they were sisters. They said they spent two years up in the hills with the soldiers, and they did not know where to go; they could not find any convent or place to stay. They said they were about to become mothers. Of course, I did not know whether to believe it or not. I said to them, "Well, you had better go to some place, some maternity house, and pray to God and have more faith, because it is not your own fault." I did not see them any more. But afterward I went to the City of Mexico and saw a big crowd on the Calle de Berlin, in the Colonia Roma. When I saw so many people there I tried to find out what it was, and I saw imitation nuns, sisters, and priests, some of them wearing the sacred vestments. I never could believe they were real priests; but one of the ladies who was there said to me, "Don't you believe them when they say they are priests. They are just trying to make fun. That

is the way they slander the priests, because they say the priests do nothing but drink and dance with the nuns."

Mr. KEARFUL. Is that true?

Mother ELIAS. I saw that.

Mr. KEARFUL. I mean is it true that the priests do those things?

Mother ELIAS. Indeed, no. You find in every place all kinds of people, but I can say that we have hundreds and thousands of good priests, very holy and very clever ones. This lady told me they were not good women, but they tried to dress in the sisters' dress to blame the priests.

Mr. KEARFUL. I understand the natural disinclination you would have to relate incidents of this kind, and I will ask you if you wrote a letter addressed to the archbishop of New Orleans, while you were in Habana, Cuba?

Mother ELIAS. Yes, sir; I did.

Mr. KEARFUL. November 4, 1914?

Mother ELIAS. Yes, sir.

Mr. KEARFUL. Did you write that letter in English or in Spanish?

Mother ELIAS. I wrote it in Spanish.

Mr. KEARFUL. I have here what purports to be a translation in English, and I will read that portion of it and ask you whether the statements in that letter are correct.

Mother ELIAS. Yes, sir.

Mr. KEARFUL (reading):

Since Francisco Madero declared war on Porfirio Díaz until the present day we have not had a moment of peace. Following Madero's example many others have arisen, some worse than others, and have attacked on all sides, so that not a single State in the Republic but is the victim of horrible outrages.

The Catholic church is attacked by the revolutionaries. They have closed the temples and prohibited the sacraments to the extent of shooting the priest who dares to hear confession or to administer the sacraments. The confessionals and some images of the saints have been burned in the public squares to the accompaniment of bands of music and impious speeches.

They have profaned the churches, entering them on horseback, smashing the images, treading the relics under foot, throwing the Hosts about the floor and even giving them to the horses to eat with the fodder. In some churches the Carrancistas themselves have pretended to say mass and have seated themselves to hear the confessions of a multitude of people.

Mother ELIAS. Yes, sir; the place I saw that was in the church of Santo Domingo, in the City of Mexico. I saw that myself.

Mr. KEARFUL (reading):

Dressed as priests they have heard the confessions of sick people and then in derision have revealed what they had heard in the confession.

Mother ELIAS. Yes, sir.

Mr. KEARFUL (reading):

All this I have seen with my own eyes. The most beautiful temple in the Republic, the Church of San Antonio in Aguascalientes, has been converted into the legislative hall.

Mother ELIAS. Yes, sir; that is true.

Mr. KEARFUL (reading):

The Church of San Jose in Queretaro is now a public library.

Mother ELIAS. Yes, sir.

Mr. KEARFUL (reading):

Our great convent of the Carmelites in Queretaro they seized and ejected the Christian Brothers who had a beautiful school and who lost over 50,000 pesos which they had spent in alterations, the total loss being over 500,000

perished. The colleges of the Reverend Jesuit Fathers, and many others, have perished. The property of the church has been seized and some of the ecclesiastical archives have been burned. All the communities of nuns have been expelled from the entire Republic, being given but a half hour to leave and not allowed to take with them a change of clothes, and in many cases not even a breviary to pray. Many sisters have been taken to the barracks and police stations where their vows of chastity were in great danger. The furnishings of the Catholic schools and colleges have been stolen and in them have been planted the mixed lay schools with boys and girls together, from which there may be expected nothing but corruption and evil.

Immorality has increased to such a degree that they have profaned not only virgins but have violated nuns, carrying them away by force where they now suffer horribly.

To the great suffering of my soul I have seen in Mexico the sad and lamentable fate of many sisters who have been victims of the unbridled passions of the soldiers. I found many bewailing their misfortune and that were about to become mothers, some in their own homes, others in maternity hospitals. Others unable to flee from despair have surrendered to a life of evil and, filled with desperation and shame, have complained against God, declaring that He has abandoned them.

I have seen many sisters of different orders, dressed in the latest style, showing themselves on the balconies, losing the little spirituality remaining to them, and singing and playing the piano all day, saying that it is dissimulation to hide the fact that they are nuns for fear that they be carried away by Carranzistas, or Zapatistas, or Villistas, etc. Some priests, deserving of confidence, have told me that in a hospital near the ——— (I will give you the name in confidence) there are 50 sisters that had been seized by the soldiers, of whom 45 are about to become mothers, although they have religious vocations and are bound by vows.

In the ——— in Mexico and in the Hospital de Jesus there are others in the same condition. The Carranzistas deny this, saying that they went with them voluntarily because they were held in the convents by force. In Celaya and in Mexico I have seen others whom they have compelled by force to enlist in the Red Cross, and under this pretext holding them as slaves to serve them as though they were their own women, and if many look after the sick there are also others who have lost their chastity. In general, many young girls, after having been forced to live with them, have been thrown out, and many have been killed in the streets as though they were animals.

Do you remember that you wrote that letter?

Mother ELIAS. I wrote all that.

Mr. KEARFUL. And it is all true?

Mother ELIAS. Yes, sir. I wrote that when I was in Cuba. When I went back to Mexico they took me prisoner. They took me off of the train, and they said, "Are you the superior of the Carmelite Order?" Of course, I didn't deny it. I said, "I don't know what you mean." I didn't deny it. I didn't say, "I am not," but I said, "I don't know what you mean." They said, "Are you a sister? How many sisters have you?" "I have no sister." Of course, I meant to say my own sister. I was dressed with a dress like a widow. I was taken in a dark room with a novice, and we promised to each other we would not separate from one another. At 2 o'clock in the morning they called me and said, "Now, ladies, it is your last chance. Where is the money?" "What money," I said. They said, "The dowry of the sisters." I said, "I haven't any." "Well, how many sisters have you in your house?" "I haven't any." "Are you the superior of the convent?" "I am not." Because I resigned my office. I was not the superior at that time. They said, "Well, would you like something to save your life?" I said, "I would not do anything. You would make me happy if you kill me, because my husband died long ago." I meant our Lord Jesus Christ. "And sure I want to meet Him."

Well, they didn't know what to do with me, because they could not scare me.

We were left alone without eating anything, and the next day at 12 o'clock in the evening they called again, and said, "Now, ladies, this is your last chance." I said, "I hope it will be for good. Will you please finish now?" He said, "Well, there are some questions." They asked me the same questions about the money and the sisters, and I repeated over what I said before. Then they called the soldiers around me with their guns and told us to knell down, and we knelt down. The novice was so scared, and I said, "Make up your mind to die. What is the use to get scared? It is better to die now than to be like the other sisters," because we knew that some sisters were in the same place. The same questions were asked, and I gave the same answers. So the men shot like they would kill me. I was scared, but I didn't die.

The next day they called me again, the same questions, and the same answers. Then an Indian came to me and said, "Little sister, do you want to be free?" I said, "Why do you call me sister?" He said, "You have a mark on your forehead like every sister has, and you can't deny that you are a sister." Well, I didn't say anything more. He said, "Do you want to be free to-day?" I said, "I don't believe you. I don't trust anybody." He said, "I will open the door for you if you will give me some money." I said, "I have no money to give you." I had in my clothing about \$1,400 to bring the sisters, to pay the expense of the sisters to bring them to the United States. So he opened the door for me, and we left.

Another Indian offered me a horse in order to run away. Well, I never did ride a horse, but I had to learn it that day. And then it started to rain so hard we could not see the way any more, but at last we reached the railroad, and we went into the City of Mexico about 3 o'clock in the morning. That was the last thing happened to me.

MR. KEARFUL. That was before you went to Habana?

Mother ELIAS. After.

MR. KEARFUL. After you wrote this letter in Habana?

Mother ELIAS. Yes, sir.

MR. KEARFUL. You returned then to Mexico with money to bring the other sisters out?

Mother ELIAS. Yes, sir.

MR. KEARFUL. Were you successful in getting them out?

Mother ELIAS. Yes, sir; I got all of them.

MR. KEARFUL. Where are they now?

Mother ELIAS. In Grand Rapids, Mich. We have a house there.

MR. KEARFUL. They have not returned to Mexico?

Mother ELIAS. I had to send four about two months ago, because they got consumption in that place, because they came from a very hot place, and on account of the cold they got consumption, and we sent four to Mexico. They are in a secure place.

MR. KEARFUL. Are they in hiding?

Mother ELIAS. No, sir; they have a convent and a church. Right now they don't do anything. They are afraid. There is a funny thing that this morning I was telling to Monseigneur Kelley. The Indians are so simple and so ignorant.

The people was on the outside would scream, and they would say, "Kill the clergy." And the Indians said to kill them. Then they

would say, "Kill the priests." The Indians said, "No, no; don't kill them." They are so ignorant, you know. They said, "Kill the clergy," but they would not say, "Kill the priests."

Mr. KEARFUL. The idea being that they were in favor of the cry "Death to the clergy"?

Mother ELIAS. Yes, sir.

Mr. KEARFUL. But not "Death to the priests"?

Mother ELIAS. No, sir; not to the priests.

Mr. KEARFUL. They did not know what "clergy" means?

Mother ELIAS. Yes, sir; that is it. I remember when Francisco Madero was in the City of Mexico, in order to please the people he brought thousands of pictures of our Lady of Guadalupe, and made the soldiers wear them on their hat in front, so the people would believe in them. They were taught to persecute the rich. Once when I was passing by I saw one of them trying to break a frame of our Lady of Guadalupe, because it was gold. I said to him, "Man, what are you doing?" He put it on the floor and stepped on it. I said to him, "What are you doing?" He said, "Well, I am trying to kill this lady." I said, "Don't you have that lady on your hat?" He said, "Yes; but that one is poor and this one is rich. I am going to kill this one." They deceived the poor Indians, because they could not speak the Spanish language well. They speak the Mexican or Indian language. There is only a few words they can say. That is what they mean, to kill all the rich. That is why they do that way.

Mr. KEARFUL. That is what they are taught, to kill the rich?

Mother ELIAS. Yes, sir; to kill and persecute the rich.

Mr. KEARFUL. Do you consider it safe for you to return to Mexico now?

Mother ELIAS. I have been to Mexico twice, because I disguised myself in different ways, so I am not afraid.

Mr. KEARFUL. Would you feel secure to go there openly, without disguise?

Mother ELIAS. No, sir; we can not. We have to disguise ourselves before crossing the river. I never take the habit. I put another dress on. That is the way we do. Six weeks ago I was coming from Mexico on the train with another dress on. Archbishop Orozco was on the train, and there was about 3,000 people clapping their hands and saying, "Viva Archbishop," and the Carranzistas were on the train. They didn't pay any attention. They couldn't do anything with the people. The people mean to be Catholic. They could not do anything.

My fear is this, that when the priests and archbishops are back in their places, they will have the houses burned again, and they will take them prisoner again and sell them as they used to do, because they many times sold them for a hundred thousand pesos.

Mr. KEARFUL. What do you mean by their being sold?

Mother ELIAS. They took them prisoner and would offer to deliver them for many thousand pesos.

Mr. KEARFUL. You mean they were holding the priests for ransom?

Mother ELIAS. Yes, sir; for many thousand pesos in order to gain their release.

Mr. KEARFUL. Do you think that after the nuns and sisters have reestablished themselves there that they are likely to have the same troubles that they had before?

Mother ELIAS. I am sure they will have them again, because they have no schools now, only the public schools, and the revolution has been going on 10 years. What will become of the boys who were then 10 years old, who now are men of 20 years? They will get worse and worse. That is what I think.

Mr. KEARFUL. Will you please explain more fully how the priests were held and money was extracted from them, and how the money was secured?

Mother ELIAS. I was in Zacatecas, when I came in contact with a lady who was my friend, and was a sister of one of the priests. She said, "What do you think? My brother is in prison to-day, and he is an old man of 65 years, and he has got to go to-day and beg for 100,000 pesos, otherwise he will be killed. He will be killed this afternoon, together with 14 other priests." They were sent out to beg, and about 5 o'clock they came back with 20,000. The men said, "It is not enough. Go and beg again." They had to go and beg again: They came back about 8 o'clock with some more money. That was not enough. They told them to go and beg again. The rest I do not know anything about, because I had to take my train to leave, but I heard that much.

Mr. KEARFUL. I believe that is all I wish to ask you. I am very much obliged to you.

AFTER RECESS.

At the expiration of the recess the following further proceedings were had:

TESTIMONY OF FRANCIS P. JOYCE.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. You may state your name.

Father JOYCE. Francis P. Joyce.

Mr. KEARFUL. And your occupation?

Father JOYCE. Chaplain, United States Army.

Mr. KEARFUL. To what church do you belong?

Father JOYCE. The Catholic Church, sir.

Mr. KEARFUL. Were you chaplain in the Army with the American troops when they landed at Vera Cruz in 1914?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Did you have occasion at that time to learn anything about the treatment accorded the priests and nuns and sisters in Mexico by the Carranza army?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Will you please relate that?

Father JOYCE. Sir, at Vera Cruz, during the summer of 1914 and immediately after the abdication of Huerta, there were between 600 and 700 sisters, refugees, in Vera Cruz, some clothed in the habit of the religious order, others in various disguises. I sent cablegrams to the cardinals, to the board of archbishops, to the Federation of Catholic Societies, to the Church Extension Society, and to Mr. Flaherty, of the Knights of Columbus, asking that aid and transportation be furnished to religious people who were then refugees in Vera Cruz. Besides the sisters there were many priests who

were refugees also. These men were working in various places. Some were waiting upon tables at restaurants, others were working on the docks, all trying to earn enough money to get out of the country. There were also seven bishops and archbishops in Vera Cruz at that time.

When the church authorities in the United States received my telegram, I understood that they wired Mr. Tumulty, Secretary to the President, to know if my reports about the condition of these people were true, and that Mr. Tumulty informed them that there was nothing on record in the State Department that such a condition as I reported existed. Father Kelley, of the Church Extension Society, now monseigneur, wired me to prove my reports by getting affidavits from these women relative to church persecutions inaugurated by Carranza and Pancho Villa. Many of these women, although they had been outraged, were timid to sign their names to any history of any excesses committed by the revolutionists. There were no notaries public who could take the affidavits, but through the assistance of a military judge advocate, Lieut. Prosser, still in the service, we obtained affidavits from a great number of these religious women, and I sent them to Father Kelley, of the Church Extension Society, who published a good many of them, I afterwards learned.

Father Kelley was the only one who gave any assistance financially to these people in Vera Cruz, when he sent down \$800. Mr. Flaherty cabled me that my reports were not believed, and, if true, to give name and history of every priest, sister, and bishop refugee in Vera Cruz. I wired back that the American forces were about to leave Vera Cruz; that many of these people had been scattered and lost track of; that I was not a census taker; that it was too late to do anything.

During this time I called on Mr. Silliman, personal representative of President Wilson to Carranza. I visited him in the office of Consul Canada, and asked that he take it up with the State Department and obtain a boat to ship these people out of the country. He said, "On what grounds?" I said to him, "If not on the grounds of religion, at least on the ground of humanity. These are women. The priests are men and will have to make shift for themselves." He then stood up and said, "It is generally admitted by everybody that the worst thing in Mexico, next to prostitution, is the Catholic Church, and both must go." To prevent a fight I was hustled out of the consul's office, and reprimanded in a military way for some words I had with Mr. Silliman.

During this time the poor regular soldiers organized a Holy Name Society whose object was through that organization to secure contributions from the forces then occupying Vera Cruz on each successive pay day to help defray expenses for shipping out as many sisters as possible.

Previous to the departure of the American troops the family of Senora Saturni, on the Calle Cincode Mayo, offered gold to an American Army officer to marry her beautiful daughter, in the hope that as the wife of an American officer she could secure safe conduct out of Vera Cruz.

MR. KEARFUL. Was that daughter one of the women who had been outraged?

Father JOYCE. No, sir. She was said to be the most beautiful woman in the State of Vera Cruz. When that marriage did not materialize, I afterwards learned that when Candido Aguilar came into Vera Cruz as military governor he kidnapped this girl, and afterwards married the daughter of Gen. Carranza.

Mr. KEARFUL. Did Silliman take any steps to give any assistance to these refugees?

Father JOYCE. No, sir.

Mr. KEARFUL. Did he make any representations to the Washington Government in that respect?

Father JOYCE. Not that I know of, sir. Consul Canada tried to help them, I understood at that time, but was unable to do much.

Mr. KEARFUL. You say there were refugees in Vera Cruz. What was the reason for their taking refuge at that particular place?

Father JOYCE. Because the Americans were there.

Mr. KEARFUL. Where did these refugees come from?

Father JOYCE. From various parts of Mexico.

Mr. KEARFUL. What story did they relate as to the treatment they had received from the Carranza Government?

Father JOYCE. That some of them had become mothers; that others were about to become mothers; that many of them were diseased.

Mr. KEARFUL. From your observation of them at that time you believe that those statements were true?

Father JOYCE. Yes, sir.

Mr. KEARFUL. You have no doubt of it?

Father JOYCE. No, sir.

Mr. KEARFUL. What was the attitude of Gen. Funston and his staff with respect to these refugees?

Father JOYCE. Sympathetic, sir.

Mr. KEARFUL. Did he do anything to help you?

Father JOYCE. No, sir. He told me that he was unable to get any permission from the State Department to secure a boat.

Mr. KEARFUL. It has been stated that Gen. Funston deliberately delayed his departure from Vera Cruz in order that some of these refugees might have an opportunity to get away. Do you know whether that is true or not?

Father JOYCE. I do not, sir. The big mistake was made when our Government failed to recognize Huerta, who was the hope of Mexico.

Mr. KEARFUL. What knowledge have you of Mexico, besides that which you gained as chaplain at Vera Cruz?

Father JOYCE. I was with the Pershing expedition, sir.

Mr. KEARFUL. Do you know Mexico in any way apart from those two experiences?

Father JOYCE. Yes, sir; previous to that, but that was a long time ago.

Mr. KEARFUL. That was in the time of Porfirio Diaz, was it?

Father JOYCE. Yes, sir.

Mr. KEARFUL. What were you doing in Mexico then?

Father JOYCE. I was sort of prospecting, sir.

Mr. KEARFUL. For minerals?

Father JOYCE. Yes, sir.

Mr. KEARFUL. About what time was that; what year or years?

Father JOYCE. In 1904.

Mr. KEARFUL. What were the conditions of the country as to security of life and property and travel throughout the country at that time?

Father JOYCE. At that time it was all right, the little I saw of it.

Mr. KEARFUL. That was it later?

Father JOYCE. As a man in vaudeville lately said, it turned out to be no longer a country, but a sort of shooting gallery.

Mr. KEARFUL. Why did you say the great mistake was made when this Government failed to recognize Gen. Huerta?

Father JOYCE. Because I knew Huerta and was his confessor. He was, I believe, the ablest soldier Mexico ever produced. He was scholarly, was an engineer, and for years had been in the mining-contracting business. He was a Catholic in a Catholic country, and a man I learned to esteem highly. His wife was my idea of what the Madonna might be like. She was a daily communicant, and, after his death suffered intensely, and is now, I understand, in poverty and ill health in Habana.

Mr. KEARFUL. Many statements have been made in this country attacking the moral character of Huerta. What can you say about that?

Father JOYCE. As far as I know, sir, like the charge that he killed Madero, much is untrue.

Mr. KEARFUL. What do you think about the charge that he killed Madero?

Father JOYCE. I think Huerta was innocent of the charge.

Mr. KEARFUL. Do you remember the circumstance of Huerta's return to this country from Spain?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Did you meet him here after his return?

Father JOYCE. Yes, sir. He was put in arrest in El Paso.

Mr. KEARFUL. What kind of treatment did he receive from the American authorities on that occasion?

Father JOYCE. Very discourteous treatment, to say the least. He was thrown into the common jail, with negroes, drunks, and disorderly people, and left there, I think, over five days, at El Paso.

Mr. KEARFUL. What was the charge against him?

Father JOYCE. As far as I could understand, he was charged with an attempted breach of neutrality.

Mr. KEARFUL. What was done with him afterwards?

Father JOYCE. He was afterwards put under \$38,000 bond, which his wife furnished, a cash bond, and was sent out under guard of five civilian secret-service men to Fort Bliss. His prison there was cold and he became sick. I then wired the Department of Justice that he had a bad cold and was a pretty sick man, and I feared he would get pneumonia and die where he was. I asked that he be permitted to go down town and have the care of his family at the home which his wife had rented for herself and children on Stanton Street. That permission was granted. A few nights later Huerta sent for me and told me that a Mr. Dubose, whose office was in the Federal building, had visited him and said that he wanted \$5,000 or he would have Huerta returned to the prison at Fort Bliss.

Mr. KEARFUL. Who was Dubose?

Father JOYCE. Dubose, I think, was chief of the civilian secret service in that district at that time.

Mr. KEARFUL. That secret service was under the Department of Justice, was it?

Father JOYCE. I think so. I told Huerta that Dubose could not do that, and Huerta said, "I don't want to be sent back to that place, but I haven't \$5,000 to give him."

Mr. KEARFUL. You did not believe that Dubose would do such a thing?

Father JOYCE. No, sir. The next night Huerta sent for me again and said Dubose had again sent word that his price had been raised to \$8,000, and if the money was not handed him the following day by 5 o'clock, he would send Huerta back to the prison at Fort Bliss. Again I told Huerta they were just teasing him, and was surprised the next evening to learn that Huerta had been sent back to Fort Bliss. I visited him there and told one of his guards, a civilian secret service man, to call up Dubose and have Huerta moved back to his home, where his wife could give him some care, otherwise I would endeavor to bring up charges for extortion against Dubose. Huerta was immediately returned to his home.

Some nights later his wife sent for me and said that she believed he was dying. She said the previous night at a late hour a man who spoke excellent Spanish and had whiskers, who said he was a physician and a great admirer of Huerta, visited him, examined him, and told him unless he underwent an operation immediately he would be dead in 24 hours. He alarmed Mrs. Huerta so much that she consented with Huerta to the operation. He said he had no anesthetic, and made some abdominal incisions in Huerta without administering any anesthetics. I went back to Fort Bliss and asked two medical officers, Maj. McAndrew and Dr. Norman, to come with me to see Huerta. That was the night after the operation. They examined him and said that the operation had been unnecessary; that if it had been sewed up immediately afterward, he would have lived, but now complications had set in and they gave him two days to live.

Mr. KEARFUL. How long did he live?

Father JOYCE. About three days after the operation, sir. The last he said was, "Help my wife to recover our properties in Mexico, and if she wins, remember that everything is for the poor." The bond that he was under has been lost to her.

Mr. KEARFUL. What was the amount of that?

Father JOYCE. Of the \$38,000 which she deposited Lee, Thomason & McGrady, a firm of attorneys in El Paso, pretended that \$7,500 of it was theirs; Hosea Hattner, now in New York City, whom the banks considered a bona fide agent of the widow, secured \$17,400; and the remainder, around \$13,000, was lost in favor of the Government of the United States.

Mr. KEARFUL. What became of Mrs. Huerta?

Father JOYCE. She, with the children, is in Havana, destitute, ill, and broken hearted. She thinks that they have been maliciously persecuted, unjustly.

Mr. KEARFUL. Do you think she is correct in that?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Who do you think is responsible for it?

Father JOYCE. As a soldier, sir, I don't know.

Mr. KEARFUL. Did you meet John Lind in Vera Cruz?

Father JOYCE. I may have met him. I met so many there. I can not remember.

Mr. KEARFUL. Did you learn the opinion of people in Vera Cruz as to what the attitude of John Lind was toward the Catholic Church in Mexico?

Father JOYCE. The story was, sir, that John Lind said, "The thing wrong with Mexico is the Catholic Church, and they should keep the Catholic schools and the Catholic churches closed for a generation and they will be rid of the church in Mexico."

Mr. KEARFUL. Did you have any conversation directly with John Lind, that you remember?

Father JOYCE. I have forgotten, sir. It has been a long time ago.

Mr. KEARFUL. What do you think personally about the charge that the Catholic Church is responsible for the ills of Mexico?

Father JOYCE. Nearly 70 years ago the Catholic Church was despoiled by Juarez in various parts of Mexico. Sisters were forbidden to wear their garb in public. It was forbidden to hold Catholic services in the open air. It was likewise forbidden for priests to wear any sort of religious garb in public. The mysterious hatred that crucified Christ, that persecuted the martyrs in the arena, that same hatred followed and still follows the Catholic Church in Mexico.

Mr. KEARFUL. You know something about the so-called reform laws instituted under the rule of Juarez, do you?

Father JOYCE. No, sir; not much.

Mr. KEARFUL. What is your understanding in regard to the extent of the political influence that has been exerted by the church since the time of Juarez?

Father JOYCE. They have a Catholic party in Mexico, but I understood that it was not powerful. I don't know much about it.

Mr. KEARFUL. Do you think that the priests and other dignitaries of the church in Mexico have oppressed and mistreated the Mexican peons?

Father JOYCE. I do not think so. Not to my knowledge. Rather, it was the one influence for good left in Mexico.

Mr. KEARFUL. Another question about those refugees. Did they finally escape from Mexico?

Father JOYCE. When the Americans evacuated Vera Cruz, I understood that more than 400 of the sisters were left behind. Afterward I was told that Carranza and Villa's army tried to have one prostitute to every four soldiers, and that many of these sisters were impressed as camp followers for Carranza's army.

Mr. KEARFUL. Do you know Mother Elias, who testified yesterday? Did you meet her?

Father JOYCE. I don't remember, sir. I met a good many.

Mr. KEARFUL. What was the necessity to solicit funds for the benefit of these people?

Father JOYCE. To feed them and to pay their expenses on the ship. But the Catholic Church authorities failed to give the necessary assistance when it was most needed. Outside of \$800 that Father Kelley sent, we received no other money, and there was no

fund in the Catholic Church on which we could draw to pay these expenses.

Mr. KEARFUL. The Catholic Church in Mexico has been reputed to be quite wealthy. Did they not have enough money for those purposes?

Father JOYCE. It was not wealthy. I had to pay out of my own pocket transportation for the Bishop of Sinaloa and his two elderly sisters. The church was poor, I understood, ever since the days of Juarez. Bishop Valdespino, of Aguascalientes, was destitute in Vera Cruz, without a cent in his pocket. The Bishop of San Luis Potosi, whom I assisted to Vera Cruz, got to Habana, and was robbed there of the few pesos in his possession. Had the Knights of Columbus been organized at that time, as they now are, in welfare work, they might have succeeded in accomplishing much that was left undone at that time.

Mr. KEARFUL. You had your ordinary duties as chaplain to perform yourself at that time?

Father JOYCE. Yes, sir.

Mr. KEARFUL. You could not devote your time exclusively to that work?

Father JOYCE. I did all I could, sir. We obtained rations from the Red Cross for many of the sisters, took up collections from the soldiers, and bought supplies for them. In one adobe building we had 30 Army cots furnished by Gen. Funston, but there were more refugees there than we could get cots to supply, and they had to take turns sleeping on the same cot.

Mr. KEARFUL. What were the accounts given by these refugees as to the desecration of churches and the use of sacred things in churches by the Carranza soldiers?

Father JOYCE. That Carranza at his banquet board supplied each guest with a chalice for a wine cup; that vestments were used as saddlecloths by the revolutionists; that churches were used for dance halls and barracks; that statues were taken down from their high places and nude women put there; that tabernacles were shot open and the sacred Hosts trampled upon; and that the furnishings of gold and silver and jewelry were stolen; that men were shot for no other reason than that they were Catholics; that it was commonly reported at the time that Huerta was told if he would renounce his Catholic faith his government would be unmolested.

Mr. KEARFUL. When you were in Vera Cruz do you remember in particular a certain train coming into Vera Cruz loaded with sisters and what happened to the train?

Father JOYCE. Many times sisters were taken off the trains and never reached Vera Cruz. I remember receiving a telegram from the mother superior of the Good Shepherd Sisters, at St. Louis, asking me to meet and safely conduct eight American sisters of the Good Shepherd Order through Vera Cruz. I met the train frequently, but the sisters never arrived.

Mr. KEARFUL. You say these were American sisters?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Citizens of the United States?

Father JOYCE. I suppose they were, sir.

Mr. KEARFUL. Were there among the refugees that went through Vera Cruz any Americans?

Father JOYCE. A good many Americans, mining men, oil men.

Mr. KEARFUL. I mean among the priests and sisters?

Father JOYCE. Oh, were there many Americans?

Mr. KEARFUL. Were there any Americans?

Father JOYCE. Oh, I don't remember, sir.

Mr. KEARFUL. They appeared to you to be Mexicans, as a rule, did they?

Father JOYCE. A good many of them spoke English. I don't know what nationality they were. I suppose they were various nationalities.

Mr. KEARFUL. Is there anything that occurs to you along the line of my questions that have been asked that you would care to state?

Father JOYCE. No, sir.

Mr. KEARFUL. Then I thank you.

(Whereupon, at 3.45 p. m., the committee adjourned, to meet again on Saturday, May 1, 1920, at 10 o'clock a. m.)

INVESTIGATION OF MEXICAN AFFAIRS.

SATURDAY, MAY 1, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., May 1, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF FRANCIS C. KELLEY.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. Please state your name.

Monsignor KELLEY. Francis C. Kelley.

Mr. KEARFUL. And your place of residence?

Monsignor KELLEY. Wilmette, Ill.

Mr. KEARFUL. Please give your office address.

Monsignor KELLEY. One hundred and eighty North Wabash Avenue, Chicago.

Mr. KEARFUL. What is your profession?

Monsignor KELLEY. Clergyman and journalist.

Mr. KEARFUL. To what church do you belong?

Monsignor KELLEY. Catholic.

Mr. KEARFUL. What is your official position with the Catholic Church?

Monsignor KELLEY. President of the Catholic Church Extension Society of the United States of America.

Mr. KEARFUL. What title do you have?

Monsignor KELLEY. Prothonotary Apostolic to His Holiness. The common title is monsignor.

Mr. KEARFUL. What is and has been your connection with the Mexican situation?

Monsignor KELLEY. My first connection with the Mexican situation was in relief work for the exiled clergy, who began to come out of Mexico a short time after the beginning of the Carranza revolution. I started to collect a fund for the purpose of helping these exiles, and succeeded in getting together about \$75,000 collected from all parts of the United States. That money was used to clothe and feed these exiles, send them to their destination in the United States, and take out a number of the seminarians, who were studying for the priesthood, from the seminaries that had been closed or destroyed; and later for establishing a theological seminary in the United States,

where they might continue their education. That seminary was continued for about three years. We staffed it by using the exiled professors who were driven out of the religious colleges and schools of Mexico.

Mr. KEARFUL. Did you give the date of the beginning of these activities of yours?

Monsignor KELLEY. No; because it is a long time ago and I do not know the exact date. I said about the time of the beginning of the Carranza revolution.

Mr. KEARFUL. Very well.

Monsignor KELLEY. About 100 of these students were received into the seminary, which was located at Castroville, Tex., and as a consequence about 100 hundred Mexican clergymen to-day are working in Mexico who have graduated from that American institution.

I then took up the work of trying to inform the American people of the truth about church conditions in Mexico, and acted also in some matters as the representative of the exiled Mexican bishops. The first part of my work brought me into contact with public men in an effort to have them understand that all the church in Mexico wanted was liberty of conscience as it exists in the United States, the general feeling being that the church in Mexico wanted special concessions; there being also a general idea that Mexico had had a union of church and state. That about covers the field.

Mr. KEARFUL. What did you find to be the condition of those you referred to as the refugee clergy during the Carranza revolution?

Monsignor KELLEY. Practically every one of these priests and religious people came into the United States quite penniless, some of them in rags and tatters. The archbishop of one of the greatest sees in America, which happened to be in Mexico, came across the northern desert disguised and dressed as a peon. Some of the bishops came in wearing mustaches, which is a perfect disguise for a bishop. Some of them were in such a condition that when they arrived in San Antonio their own schoolmates and college friends were unable to recognize them. Two archbishops who were very close friends were talking to one another quite a while in San Antonio before they knew one another, they were in such a miserable condition.

In spite of the reports that these men were rich I had to go to a wholesale store in San Antonio, and later to a wholesale establishment in Habana, and buy clothing, complete outfits for a great number of them. In fact, most of the money in the beginning was spent for clothing. Later on we arranged so that each of the exiled priests would have enough money to pay his board, with a few dollars a month extra for his little wants, and while they were here they depended absolutely on the money that was given to them regularly from Chicago.

Mr. KEARFUL. Did you make an investigation of the reasons why they were exiled from Mexico, and if so, what was the result of it?

Monsignor KELLEY. Many of these men were driven out of Mexico by force. Some of them had come out voluntarily, but they had left Mexico, not because they wanted to leave, or in order to avoid persecution, but simply because they were being used to extort money from the people. For example, a certain archbishop—in-

deed, two or three archbishops—were sent from door to door, with soldiers beside them, to tell the people that they were going to be executed unless they raised a very great amount of money. When the revolutionary authorities believed they had raised all they possibly could, they were sent out of that town and word was dispatched to the next large place to look out for them. On arriving at that place they would be rearrested, again fined a large amount of money, and sent out with soldiers to collect. That was a common practice, and after it had been done two or three times the archbishops decided to leave, because they did not want the poor people robbed out of pity for their chief pastors and to save their lives.

Mr. KEARFUL. What did you learn about the persecution of the sisters and nuns in Mexico?

Monsignor KELLEY. There were very few nuns who came to the United States. I never knew the reason for that until I heard Capt. Joyce's testimony yesterday, though I suspected that they were scattered around Mexico. A few communities like that of the Carmelite Sisters, of which Mother Elias was the head, came to the United States and received some help from us. Two or three communities settled down and opened schools or other institutions in the southwest. The Carmelites came north, and though they were absolutely penniless, Mother Elias succeeded in securing a foundation at Grand Rapids, Mich., where a house was given through the charity of the bishop and priests. Her community has prospered and she has now a number of American sisters and is opening a new house in Buffalo. Most of the other sisters, I understand, are teaching.

Mr. KEARFUL. What did you learn in reference to the financial condition of the refugees who passed through Vera Cruz, and the efforts of Capt. Joyce to assist them?

Monsignor KELLEY. When I got word from Capt. Joyce of the number of priests and sisters at Vera Cruz, I started from Galveston to go there, to get a boat for that part of Mexico, but I received a telegram, I think from Capt. Joyce himself, telling me that the refugees were leaving and that I would probably find them in Habana. I went to Habana and found those who came out of Yucatan, and who had been expelled by Gen. Salvador Alvarado, who closed, I understand, every church in Yucatan.

The refugees from Vera Cruz, however, went for the most part to the United States. I began to meet them in New Orleans on my return from Habana. The first one I met was the bishop of Campeche. He was penniless, and I gave him assistance right on the street. I met a number after that. There were over 100 of these refugees, if my memory serves me right, and I do not think there was an average of \$3 apiece among them.

Mr. KEARFUL. Did you learn what assistance they received in Vera Cruz?

Monsignor KELLEY. At Vera Cruz Capt. Joyce interested himself in them. I inquired about his work there, and was informed that he had spent all the money he had and had gone into debt to take care especially of the poor nuns. I understood that the American Army officers gave them cots, that some of the clergy slept on the balcony of some public building. I also learned that Gen. Funston was particularly kind. But everything depended upon Capt. Joyce. In

fact, the money which he mentioned my having contributed was really returning what he himself had either spent or had borrowed. Although we were organized for Mexican relief at that time, we knew nothing about conditions at Vera Cruz until we got the telegrams from Capt. Joyce, and as he was the only American priest on the ground, it was up to him to do the best he could, which he certainly did.

Mr. KEARFUL. What do you know about the vicissitudes of Mother Elias, who testified the other day, and as to her financial condition and as to those under her charge.

Monsignor KELLEY. I met Mother Elias in Habana. She told me the same story that she told under oath the day before yesterday to this committee. She was in a Carmelite convent in Habana, where the sisters gave her shelter. She had one companion with her. I do not know if there were any others, but I do not think there were. The sisters of her community in Mexico were scattered. She wanted to go back to get them. I remember trying to dissuade her from making the attempt, but it was quite useless. She had no money and she would be arrested and expelled on sight in Mexico.

Mr. KEARFUL. If recognized?

Monsignor KELLEY. If recognized: yes. I did not know that she had actually been arrested until I heard her testimony here. It is true that I gave her the money to go back to get her sisters. I did so with some misgivings, because I feared for herself if she returned to Mexico, but at the same time I felt it my duty to rescue the sisters if I could. Mother Elias was a very brave woman, and her successful foundations in the United States are very well deserved.

Mr. KEARFUL. Does she or her institutions have any endowment?

Monsignor KELLEY. No endowment of any kind.

Mr. KEARFUL. Have they any money on deposit or property that they can resort to?

Monsignor KELLEY. No; not a cent.

Mr. KEARFUL. Did they have in Mexico?

Monsignor KELLEY. Whatever they had in Mexico, of course, was taken from them. Religious orders in Mexico are not supposed to have property. In fact, religious orders are not supposed to exist, so that the Carmelites can have no property in Mexico. I understand that Mother Elias has a house rented there for four of her sisters who could not stand the rigors of the northern climate and became consumptive. She sent them back to Mexico, and as a consequence of that and other sicknesses she is about \$3,000 in debt.

Mr. KEARFUL. Are you prepared to give the committee the benefit of your investigation and knowledge with reference to the basic causes of the troubles in Mexico?

Monsignor KELLEY. My judgment as to the basic causes of the Mexican trouble will perhaps be a surprise to you. Most people claim that the cause of revolution in Mexico is either social or economic.

It is my judgment, based on a study of Mexican history and the information that I have received from learned men from Mexico, that the seat of Mexico's difficulty is anticlericalism, which has resulted in a denial to the people of liberty of conscience. There has been no liberty of conscience in Mexico since the constitution of

1857, and particularly the laws of reform. For the constitution, I understand Juarez was responsible; for the laws of reform, Lerdo.

The reason that I believe anticlericalism is at the root of Mexico's difficulties is because of the dissatisfaction of the people, who have been deprived of their religious rights. Mexico is only a democracy and a republic in name. The only honest election I ever heard of in Mexico was the one at which Francisco Madero was the successful candidate for the presidency, and even in that election the Catholic candidate for vice president was arbitrarily set aside, although he had received a large majority of the votes.

Now, in a democracy religious liberty is a necessity. In a letter written to me by Mr. Bryan, on March 20, 1915, on the Mexican situation, a letter which I was told was really dictated, if not written, by the President himself, I find these words:

Above and beyond all, the full flower of democracy lies religious freedom, the principle which the builders of our own republic made the crown of the whole structure. To this freedom political freedom has seemed, at many of the most important crises of history, to be only the handmaiden and servant.

That is the American view. The constitution of 1857 and the laws of reform, diametrically opposed religious liberty, suppressing religious institutions, closing religious schools, taking away even the liberty of men and women to wear a religious dress, forbidding all religious services of every kind outside of churches. It descended to such pettiness that even bishops have been arrested for laying a cornerstone, and a Protestant American railroad man in Monterrey told me that a bishop there was arrested by Gov. Reyes for presiding at a Christmas tree festival for poor children which the American had arranged at his own expense. It appears that the bishop had worn his house cassock and his sectoral cross. It would take a long time to go into the consequences of this, but as a detail I may mention that it would be against the constitution of 1857 and the laws of reform to hold religious services in graveyards, and therefore, unconstitutional for a clergyman of any denomination to wear any distinct garb, or even in his street clothes, to carry out a burial service. Of course, the Salvation Army would have no chance whatever for a street service in Mexico, if the constitution were enforced. Clergymen are even barred from all public institutions, thus depriving inmates of hospitals, asylums, barracks, and other such places, of the consolation of religion when sick or dying. Only people of wealth and influence could procure access to even sick for the clergy.

MR. KEARFUL. What is the religious sentiment of the mass of the people in Mexico? Is it Roman Catholic?

MONSIGNOR KELLEY. Luis Cabrera, who is no friend of the church, stated himself that practically all of the people were Catholics.

MR. KEARFUL. In view of that fact, how do you account for the persecution of the church, beginning, as you say, with the constitution of 1857 and the so-called laws of reform?

MONSIGNOR KELLEY. The first reason for the persecution of the church in Mexico was because of the adoption, by the politicians of Mexico chiefly, of the principles of the French Revolution.

That revolution had its effect in every Latin country. It was decidedly antireligious, and as the Catholic Church was the only church they knew anything about its sympathizers vented their

hatred on her. Then the difficulty was helped along by a misunderstanding on the part, first of Juarez, and later of other upholders of the succeeding revolutions, as to the attitude of the people of the United States. They looked upon the American Republic as a consequence, not so much of the desire of the people for freedom from Great Britain, as of the ideas of the French revolution. They believed that the same principles were at the bottom of it, as of the outbreak in France. They thought that America was a Protestant country, and that Protestants hated Catholics. They supposed that anything they could do against the Catholic Church, even to the extent of murdering the priests and outraging the nuns, would gain sympathy for them in the United States. The fact that the United States did help Juarez seemed to confirm the so-called Liberals of Mexico in their error. As a matter of fact every time there has been an anticlerical outbreak, some people in the United States have always been careful to keep the rioters fed up with that idea. For example, a court of the Guardians of Liberty down on the Texan border passed a wonderful series of resolutions commending Gen. Villa because of what he had done in the way of torturing priests and nuns. Later on the general justified their confidence in him by invading the United States and proceeding to enlarge on his assassinations so as to include American soldiers.

Mr. KEARFUL. What motive, if you know, politically or historically was behind the hatred that you speak of against the church on the part of politicians in Mexico?

Monsignor KELLEY. I am glad that you said "politicians." The people of Mexico do not hate the church. They love the church. The Mexican people attend church as well as any people in the world. They are a pious people. The church has existed since 1857 on their charity and their little offerings. The church has practically had no real donations, never made a drive for millions of dollars. The church has existed in reality on the pennies of the poor. When we opened schools they were always too small. That certainly proves that the people of Mexico do not hate the church, but the politicians do, simply because from the beginning the church has stood out against looting and murder and such like. The politician fears the church. He wants to make a living through politics. He can not keep himself in power by constitutional means, because elections are a joke. He intends to appeal to arms and stir up revolution. The power that could destroy him is the power of the church, if the church descended to his kind of tactics; so he fears the church as the one thing that is stronger than himself, if she exerted her power in ways she abhors.

Mr. KEARFUL. Do you believe that if the church in Mexico were left unhampered to pursue its course under a democratic constitution, that the result would be beneficial to the people and democratic government?

Monsignor KELLEY. I certainly do. I believe that if Mexico had religious liberty as it exists here, and honest and fair elections, Mexico's troubles would be at an end, and the soldier politician would be out of a job.

Mr. KEARFUL. Do you think that would result in a union of church and state, so that the church would be in control of the state?

Monsignor KELLEY. No; because the church does not ask for such a union. Leaving principles and theories aside, practically, unions of church and state have not frequently been successful, except for the state. They seem to work out in the same general way, putting affairs of the church under the control of the state, and thereby injuring the church. I have spoken to all, or practically all, of the exiled bishops of Mexico, and I have asked every one what he thought would be the result of the adoption by Mexico of religious liberty as it exists here. Without exception they said that the idea was so good that they could not even hope for it. It was too much to hope for.

Mr. KEARFUL. We have often heard in this country that the trouble with Mexico was it has been priest-ridden. What can you say in reference to that?

Monsignor KELLEY. The best answer to the charge that Mexico is priest-ridden is to give the figures. Some of them were given by Navarro y Noriega, published in the *Bulletin de la Sociedad Mexicana de Geografia y Estadistica*, 2a Edoca, volume 1, pages 290-291. He places the number of clergy in Mexico in 1810 as 7,341. Of that number 3,112 belonged to orders devoted to teaching, hospital, and other public service. There were 2,098 sisters, most of them teachers. The Mexican population in 1810 was 6,122,354. The proportion of the clergy to the population was then 1 to 834.

Now, in 1917, according to the account of the United States Census Bureau, the number of Catholic clergymen in the United States was 20,287, and the Catholic population was 15,742,262, a proportion of clergy to population of 1 to 776. But in the whole United States in 1917 there were 191,722 clergymen of all denominations, and 42,044,374 church members. So that in the United States in 1917 there was a clergyman to every 219 church members, while in Mexico in 1810 there was only one clergyman to 834 of the entire population. If you consider only the clergy of the United States other than Catholic, the proportion is one clergyman to every 153 church members, and in some of the non-Catholic bodies the clergy are as numerous as 1 to 35. Of course, these latter are very small denominations.

Mr. KEARFUL. Have you later figures for Mexico than 1810?

Monsignor KELLEY. I have used 1810 because I think that year saw the largest number of clergy in Mexico. It has diminished since that time. The clergy were relatively more numerous then than at any other period. The number has now declined to about 5,000, which gives a relative proportion to population of one priest to every 3,000 people in Mexico. That is my answer to your question.

Mr. KEARFUL. We have also sometimes heard of the inordinate wealth of the church in Mexico. What about that?

Monsignor KELLEY. I saw no evidence of wealth in those priests who came here, and I have had considerable to do with what business some of the Mexican bishops had in the United States since their return. Although I am not authorized to speak about their business affairs, nevertheless, I feel that it is only a matter of justice to them to say, that the church of Mexico has practically no endowment and no wealth. When charges were made that the church in Mexico was wealthy, these charges usually hark back to Spanish times.

I have here in my hand part of the manuscript of an unpublished book by Mr. Eber Cole Byam, who happens to be a non-Catholic and a Free Mason. Mr. Byam has made a study of the religious question in Mexico, and will shortly publish his book on that subject. I would like to read a few things on that point in reference to Spanish times into the record:

The main sources of church income were the tithes, interest from invested funds, and rentals from productive real estate. The productive real estate consisted of rented city properties and farms, and the funds were "laid out," as Humboldt says, "on farms of small cultivators." He further says: (1822 edition, vol. 3, p. 102) "These capitals are usefully directed and increase the productive power of the national labor." These loans drew 5 per cent and so long as the interest was paid there was no concern about the principal.

Dr. Mora, an apostate priest, who sought the confiscation of all the church property, says of this wealth (Mexico y sus Revoluciones, vol. 1, p. 121) that it formed a character of loan bank which contributed greatly to the development of agriculture and the prosperity of the country.

Ramos Arizpe, a radical, a York Rite Mason, and Secretary of State for Victoria, made a report to the Mexican Congress in 1826 in which he said of the clergy and these funds: "Limited in numbers, select in origin, and most moderate in the acquisition of large country estates, without compare they devoted the greater part of the riches that piety had placed in their hands to the purpose, and in a manner, of public benefit for the encouragement of agriculture, commerce, and every industry." (Boletín, etc., la Epoca, vol. 1, p. 137.)

Another writer, José Guadalupe Romero (Boletín, etc., 2a Epoca, vol. 3, p. 556), says, in 1860, regarding the church, the clergy, and the funds handled by them: "They formed a perennial loan bank for agriculture and commerce. There has not been in the Republic a laborer or worried capitalist who has not remedied his needs or increased his business with the capitals of the church loaned at so moderate a charge that, while these funds existed, the loan sharks were unable to effect a rise in the rate of interest."

Matias Romero tells us that "The wealth of the church was loaned out at a moderate rate of interest * * *, and to its credit be it said was not at all usurious, exacting only a fair rate of interest, and being hardly ever oppressive in dealing with delinquent debtors." (Mexico and the United States, p. 93.)

And this is what Juan A. Mateos had to say:

"In the days of the old régime, when the clergy possessed a great number of city and country properties, year after year went by without the shameful evictions to which so many poor families are the victims to-day. The sordid avarice of the landlords of to-day has no compassion in contrast to the clergy who, animated by a spirit truly Christian, overlooked and excused. The church loaned its capital at a low rate of interest, 4 per cent, 5 per cent, or at 6 per cent, which was called the legal rate, a rate unknown to-day. Very rarely was a foreclosure notice published against a property pledged for a loan from these funds. For this reason I proposed, at the time of their confiscation, that a bank for the poor be established from the millions of the clergy, but my voice was drowned in the midst of the tumult of passions of the revolution. Because of this, the selfish interests and exactions of to-day have left homeless the many families who formerly enjoyed the tolerance and charity of the clergy." (From a speech by Juan A. Mateos in the Mexican Chamber of Deputies on the 20th of October, 1893.)

The invested funds of the church amounted, in 1804, to \$44,500,000 and consisted of what were known as "capellanías" and "obras pías." The capellanías were chaplaincies supported by donations amounting on the average to about \$3,000 each and returning \$150 yearly in interest. (Mora, Mex. y sus Rev. vol. 1, p. 121.) The chaplain benefited thereby was usually employed by some institution or by some wealthy family, which thus found a place for some poor relation who, in many cases, acted as tutor to the children of the family. On the death of the beneficiary the fund often passed to some pious work or obra pía. The obra pía was a fund that accomplished any good purpose other than the support of a chaplain.

From these funds a large number of pupils were supported in boarding schools, where the cost averaged about \$100 per year. In other words, a great many of these funds were in reality scholarship foundations.

The funds were therefore trust funds administered by the clergy as trustees in conformity to the wishes of the donors who had placed them in their hands to be used for specific purposes, mostly educational and charitable.

Taking Mr. Byan's figures, the wealth of the church at that time was about \$44,500,000.

Mr. KEARFUL. At what time?

Monsignor KELLEY. That was about the time of the first or partial confiscation, in 1804. The confiscation by Juarez deprived the people of their loan banks. Our own Federal farm loan arrangement is an attempt by our Government to give to the United States what the church gave to Mexico without cost. Here in the United States we have come to the very thing that the Mexican clergy gave the people long years ago. The confiscation of that money gave the loan sharks an opportunity in Mexico. So they proceeded to gouge the natives, and that practically caused the economic ruin of the country.

It has been ascertained by biased writers that the clergy of Mexico exacted great fees. I again quote from Mr. Byan:

The fees which the clergy generally were permitted to receive for marriages, baptisms, burials, and masses were fixed, and those accepting anything in excess of the sums allowed were fined double the sum accepted. These fees varied with the pomp of the ceremony desired, nothing for the simple ceremonies for the poor, and graded to suit the purses of the well-to-do. The fees also varied with the diocese. In that part of Mexico one peso was allowed for baptism. Marriages performed in the parish church occasioned no fees whatever. If the priest performed the service elsewhere he was permitted to accept 4 pesos. For burials no fees were accepted unless accompanied by ceremonies requiring extra services. The Indians paid no fees for any of these services unless extra ceremonies were desired, and then the fees were expressly stated to be the half of those accepted from the Spaniards.

In addition to the foregoing the laws of the Mexican Church expressly prohibit exacting any fee whatever from the Indians for any religious service."

Dr. Mora was, as I have already pointed out, one of the enemies of the church. In 1833 Dr. Mora estimated the wealth of the church at as high as \$179,163,754, but he figured it out in a very peculiar way. From his own works we find out his method. He stated that the amount of the tithes collected in 1829 was \$2,341,152. He multiplies that by 20 and charges the product to the church as capital, capital which, of course, never existed. Then he assumes that every parish priest collected \$600 a year in fees, and charges that to an income account. He multiplies the grand total by 20 and charges that up to the church as capital. Then he submits the alms received to the same process, and so on down the line, which certainly is an original way of finding out what an institution is worth. Imagine the figures for the United States with the small incomes of over 100,000 clergies is figured into capital by the Mora method.

Divesting Mora's tabulation of its fictitious values we have left less than \$100,000,000 for all properties, both productive and unproductive. According to Mora, the unproductive properties amounted to some \$50,000,000. Mora gives the church income as \$7,465,593. Divesting his figure of its fictitious values, we have a remainder of \$4,782,153. Nearly half of this was the tithing. When the various educational and other beneficent enterprises are considered it will be seen that the Mexican clergy accomplished remarkable results with the money available.

Mr. KEARFUL. What became of the actual property that was confiscated?

Monsignor KELLEY. In 1866, when the confiscation was practically complete, the State recorded the receipt of property worth \$62,365,516.41. Instead of establishing loan banks with that property, as had been suggested by Mateos, the "patriots" were permitted to browse in the green fields and pastures new. One great "patriot" bought 50 houses in Mexico City worth \$525,528 for \$1,832.42 in cash, and Government due bills which had cost him \$40,077.90. That was the foundation of one of the largest fortunes in Mexico. The only reason why I do not mention the name of that family is because it has become so distinguished in Mexico, and there is no particular reason for selecting one family when so many of the members of the liberal party received fortunes through the same dubious means.

The buildings of public benefit, such as schools, colleges, academies, and such like, were turned into city halls, court houses, barracks, stables, and jails. All the property of the church confiscated in France within this generation produced nothing but a couple of million of francs, with some prison sentences for those who handled the confiscation. The same statement applies in Mexico.

Mr. KEARFUL. Except as to the prison sentences?

Monsignor KELLEY. Except as to the prison sentences.

Mr. KEARFUL. Do you desire to make a statement contrasting the present wealth of the church in Mexico with similar institutions in this country?

Monsignor KELLEY. I would like to do that. I have some figures here that are very interesting, but when I select one Protestant denomination in America for the comparison I did not mean to be at all discourteous. I had to take one prominent Protestant religious denomination, and I selected the Baptist because I happen to have the figures from their yearbook for 1916; and the church wealth in Mexico can best be appreciated by comparing it with that of a religious body in the United States which has approximately the same number of adherents. That happens to be the Baptist. I take the figures from the yearbook mentioned.

Baptist adherents in 1916 were 6,107,686 in number, which closely approximates the estimated population of Mexico in 1810, which was 6,122,354. I again call your attention to the fact that I am taking the year 1810 because at that time the clergy were most numerous in Mexico. The Baptists in 1916, according to the figures given, had 6,107,686 adherents in the United States; Mexico, in 1810, had a population of 6,122,354. Baptist churches, 1916, in the United States, 51,248; Catholic churches in Mexico, taking the figures in 1889—which were the only figures that I could get, but when the population was still greater than in 1810—10,112. Baptist ministers in 1916, 36,926; Mexican priests in 1810, 7,341. Invested funds and productive Baptist property of the United States in 1916, \$98,453,844; for Mexico I have had to take the figures of 1804, six years before 1810, which are \$72,873,473, and include several millions of unproductive properties, the population about the same. The annual income of the Baptist Church of the United States in 1916, probably including everything, was \$43,055,067; Mexico,

in 1810. \$7,692,807. Church values, Baptists, \$173,705,800; Mexico, \$30,031,894. The Baptist income, it should be noted, is largely through contributions, which takes the place of the Mexican tithes, which are voluntary donations.

Now, it must be remembered that Baptist properties and income accumulated as a result of a little more than 100 years of work. In 1812 there were only 173,072 Baptists in the United States. Even in 1906 the figures are only a little more than half the figures for 1916. The church in Mexico was a going and prosperous concern when Roger Williams fled to the wilderness, and it took nearly 300 years to accumulate its property.

The exact figures to-day are not available, but in round numbers they will closely approximate the following: Clergymen, Baptist, in the United States, 50,000; Mexican, 5,000. Baptist churches, 60,000; Mexican, 10,000. Baptist income, \$50,000,000; Mexican, very small. Baptist clergymen are relatively 20 times as numerous as the Mexican. Baptist churches belong to the Baptists. In Mexico the churches belong to the Government; and as for income, the Mexican clergy are living to-day on the charity of their friends and relatives, for the people have been bled white.

MR. KEARFUL. Does that mean the people have been bled white by the church?

MONSIGNOR KELLEY. No; the people have been bled white by revolutions, for the revolutionists live on the people.

MR. KEARFUL. The same revolutionists that have driven the priests and nuns out of Mexico and desecrated the churches?

MONSIGNOR KELLEY. The same revolutionists; and the end is not yet.

I would like also to call your attention to this fact, that in all these charges about the practices of the church in Mexico, the church never dreamed of possessing the power to make a drive for over \$300,000,000, which the Protestant churches of the United States are making right at this time. The amount of money asked by the Protestant churches of the United States from the State of New York alone in this drive would be considered fabulous wealth for a period of 10 years for the church in Mexico.

Again, I would like to call your attention to the fact that the endowment of a single American church, Trinity in New York, if the stories I hear about the wealth of that church are true, would almost, if not quite, surpass the entire assessed valuation of the confiscated church property in Mexico. The University of Chicago (Baptist) is said to have received over half that sum from one man alone.

It has been held by some that the possession of even \$62,000,000 endowment and other values of the entire church in Mexico with her hospitals and educational work was a menace to the country. If that is the case, what about the wealth of so many Americans who individually are worth more than \$62,000,000? And what about the Rockefeller, Sage, and Carnegie funds—far more heavily endowed than the church in Mexico—and which are not only chartered institutions under our laws, but very generally considered as most beneficial institutions? Yet the people who look with favor on these institutions often thoughtlessly take their cue from revolutionists in Mexico and condemn the Catholic church for what little endowment she had.

Mr. KEARFUL. Mr. John Lind, in his testimony the other day, denied that he had ever attributed the ills of Mexico to the influence of the Catholic church, but stated that he had become convinced that the church had not done as much as it ought to have done in the position it occupied toward the education of the people. What can you say about the educational work of the Catholic church in Mexico?

Monsignor KELLEY. It must be remembered that the educational question in Mexico at the beginning, and for a good many years after, was purely an Indian question. The church had to take savages and civilize them through religion and education. In order to do that, the church often had to fight the officials of the State who did not think the Indians should be educated. It is said there was once a discussion in Mexico as to whether or not an Indian had a soul. If such a discussion ever took place, it was because churchmen had to rebuke such ideas on the part of those who did not care to have the Indians educated. From the beginning the missionaries of the church insisted upon instruction going with religion, and they were successful. The first university on this continent, it must be remembered, was established in Mexico, and there were schools of higher education, as well as professional schools in Mexico, before Harvard was born. The most beautiful architecture on the American Continent is still in Mexico. Mexico was far in advance in the early days of her northern neighbor, which is our country to-day.

Mr. KEARFUL. Was that due to the work and influence of the church?

Monsignor KELLEY. Absolutely due to the work and influence of the church. The educators in Mexico were the priests. It is perfectly true that they did not teach many branches in the little Indian mission schools, but schools were attached to every mission. They taught reading, writing, singing, religion, and politeness, and if they have lost all the rest, they have kept at least the religion and the politeness. That was all work done for Indians. It was a work of devotion that meant many sacrifices. It was a work endowed only by the flesh and blood of the missionaries and teachers. These went out to the Indians, whether there was money to help them or not. In our own northern colonies little attention was paid to converting the Indians to Christianity, none at all in the beginning. Practically nothing was done in the early days of the colonies. But when we did get going here, a good deal of money was spent on our Indians. If Mexico had spent in the same proportion as the United States, it would require \$400,000,000 a year, and out of that \$90,000,000 would have to go for schools. In other words, Mexico would be required to spend a sum greater than all its revenue, municipal, State, and national, for the Indian in Mexico forms a very large majority of the population. The colonial authorities in Mexico never collected more than \$20,000,000 a year, and if I mistake not, Mr. Carranza is not collecting half of \$400,000,000 a year. As to the method of the educational work, I should like to quote from Mr. Byam:

Regarding the labors of the missionaries, Garcia Icazbalceta, in his biographical notice on Friar Gante, has this to say: "The task was tremendously difficult because the means were entirely disproportionate to the ends. They were confronted not with the education of the children as they arrived successively at the proper age, as in our day, but with an entire and numerous generation, big and little, men and women, who all at once were in urgent need

of religious and civil instruction from the very foundations, and without knowing even the language of their masters. The friars were few, and realizing that if they attempted everything they would accomplish nothing, they decided to divide their time between the conversion of the adults and the education of the children. Endeavoring thus to take care of the emergency, leading the adults from their errors, and giving the children, who were docile and not yet imbued with the old beliefs, the new religion with their education. They counted, moreover, that once the little ones were instructed in the faith they would serve to bring in their elders, and they were not deceived in their hopes.

That shows somewhat of the difficulties the early missionary educators had to face. The same authority, speaking of methods, says:

The schools were generally low halls with dormitories and other rooms adjoining. There were schools in all the principal convents, and so large that some of the held 800 to 1,000 pupils. The most famous of all was that of Mexico, founded by Friar Pedro de Gante. As customary it was behind the convent church extending toward the north. * * * In this school there were soon gathered a thousand Indians. In the morning they were given lessons in reading, writing, and singing, and in the afternoon were given religious instruction.

The friars were thus the discoverers of the fact that the only way to obtain satisfactory results in the education of the Indians was to catch them very young and place them in boarding schools where they would be out of contact with their parents. Otherwise they form attachments for their old home life that are impossible to break, and when their education is finished they return to the ways of their fathers and all the work is wasted. Even some of those who had been in boarding schools relapsed and returned to the tepee.

We have had the same trouble, by the way, in the education of our Indians.

Moffett, in referring to the Winnebagoes of Wisconsin, says:

The Winnebagoes of Wisconsin are a backward people. They have been given homesteads of 40 acres for each male adult, but few of them live on their allotments. The children who attend the school do not usually finish the course, and upon returning to their people lapse back into many of the old ways.

The friars had to face that trouble with their Indians, too. Now, as to the result of all this, quoting again:

An eloquent witness to the educational labors of the clergy and the happy results therefrom is one Geronimo Lopez, who appears to have been a person of some importance and who wrote, in October, 1541, to the King, apparently at his command, about affairs in Mexico. (Coleccion de Documentos para la Historia de Mexico, vol. 2, p. 148.) Lopez was opposed to educating the Indians and takes occasion to complain bitterly of the efforts of the friars to do this. He declares that the friars have taught large numbers of them to read and write and that they are such excellent penmen that "it is a marvel to see them" and that "there are so many and such good scrivners" that he can not count them. Again, he charges that the friars have taught the Indians Latin so well that they speak it like another Cicero, "and every day the number grows."

As to the law for the education of the Indians, the laws of the Indies (Recopilacion de Indias, Lib. VI, Tit. I, Ley XVIII) states that "where possible schools must be established to teach them to read and write Spanish and at no cost to them."

On the 7th of June, 1550, the King wrote a letter to the provincial of the Dominicans charging him to see that the Indians were taught the Spanish language. (El Clero de Mexico Durante la Dominacion Española, Genaro Garcia, p. 106.)

The church law also takes account of schools by declaring that every curate must "procure with all diligence" the establishment of

schools in their towns where the children may be taught to read and write Spanish.

* * * * *

Humboldt visited the city of Mexico in 1803 and of it he says: (Political Essay on the Kingdom of New Spain, New York, 1811, p. 159) "No city of the new continent, without even excepting those of the United States, can display such great and solid scientific establishments as the capital of Mexico."

Joel Poinsett was sent to Mexico as a special agent by President Monroe in 1822. Poinsett was an ardent partisan of the radicals who were trying to overthrow Iturbide. He was also a bitter enemy of the church and the Spaniard. He remarks that most of the people in the cities can read and write and that he frequently remarked men clothed in the garb of extreme poverty reading the gazettes in the streets. (Poinsett, Notes on Mexico, London, 1825, p. 122.) He was there only a few months, which he spent mostly in the City of Mexico. In his journey to and from the coast he had occasion to observe the peasantry, whom he says (Op. cit., p. 266), are "a kind and amiable people possessing the utmost good nature and great natural politeness. They are, I think, a virtuous and an orderly people, attentive to all the ceremonies of their religion and observant of their moral duties. Thefts are so uncommon among them that our baggage was generally left under a shed; and assassinations are extremely rare, and when they do occur may always be traced to drunkenness."

He observes the effects of the then recent revolution, and says (Op. cit., p. 240): " * * * the mines have been destroyed, villages and farms have been burnt, whole districts laid waste, and the resources of the country utterly exhausted."

After such destruction it is not surprising that he should find (Op. cit., p. 173) that—

"The habitations of the people on the roadside are miserable indeed. The walls are of stone, piled up loosely, like the fences, and not much higher; and the roof is a wooden shed, and sometimes ornamented by ranges of pumpkins.

Poinsett is caustic in his criticism of the church and clergy. It was among the middle-class Mexicans that the revolutionaries came, and with them he foregathered. He says that they are "exempt" from the influences of the clergy, but "unfortunately, too many, who were educated in the forms of the Catholic Church, have emancipated themselves from its superstitions only to become skeptical and infidels." (Op. cit., p. 164).

This judgment of Poinsett is echoed by a later observer, R. A. Wilson, who visited Mexico in 1853. In speaking of the same class he says that they turn "to infidelity and socialism."

Coming down to more recent times, I quote further as follows:

Justo Sierra was the minister for education under Diaz. He was a radical and an atheist. He was a bitter enemy of the clergy and sought to produce in the normal schools a body of teachers that would spread his radicalism and atheism among the youth of Mexico. This is what he has to say of education in Mexico (Mexico—Its Social Revolution):

"Educational work was begun in Mexico by Juan de Tecto, Juan de Aora, Juan de San Miguel, and Pedro de Gaute; followed by the 12 Franciscans who formed the Mexican apostolate. They established schools for the natives, both children and adults. The common people as well as the more important natives, were cared for, and the children of the chiefs were taken care of in boarding

schools. The missionary teachers secured the passage of laws compelling attendance at school.

In 1522 Pedro de Gante founded a school in Texcoco for poor Indians, and later that of St. Francis in Mexico City, which grew to number 1,000 pupils. (Op. cit., vol. 2, p. 478.) Bishop Zumarraga founded in the villages schools for girls like that of Texcoco. In 1536 he created near the convent of the Franciscans at Tlatelolco, the famous College of the Holy Cross, where religion, writing, reading, Latin, and rhetoric were taught. (Op. cit., p. 479.)

Other institutions founded were:

College of San Nicolas at Patzcuaro by Bishop Vasco de Quiroga, College of San Miguel at Guarangareo by Friar Juan de San Miguel. The Jesuits established colleges at Valladolid (Morelia), Patzcuaro, Tepotzotlan, Huisquilucan, and numerous missions in the north and east. In Mexico City they opened a school for natives called San Gregorio, which remained until closed in the first half of the nineteenth century.

In addition to the schools named, there were a considerable number of private schools. Many children were prepared for college in their homes. The Franciscans devoted themselves mostly to primary education. The secondary schools were shared equally by the Jesuits and the Augustinians. (Op. cit., p. 483.) The Augustinians founded a college in Tiripitio in 1540, removed later to Atonilco; also St. John's College, founded in 1575, which depended on alms for support. This college was founded by Father Alonzo de la Cruz, who "bought the grounds, directed the building, formed the constitutions, deposited in the college 60 chests of books brought from Spain. He also set up there a collection of globes, maps, and scientific instruments." (Ibid.)

The Jesuits arrived in 1572, September 28, and at once started a school for natives. The venerable Jesuit, Pedro Sanchez, caused Dr. Francisco Rodriguez de Santos to found, on November 10, 1573, the Colegio Mayor de Santa Maria de todos Santos in his own house, where pupils were boarded and housed. Closed in 1843. Also to F. Sanchez is due the College of SS. Peter and Paul, January 10, 1573. Later, three, San Miguel, San Bernardo, and San Gregorio, in 1575-1576. A second college of SS. Peter and Paul in 1576; Espiritu Santo, in Morelia, in 1587; also colleges in Yucatan, Zacatecas, Caxaca, Vera Cruz, and Guadalajara. (Op. cit., p. 484.)

When the Jesuits were banished in 1767 several colleges were closed. (Ibid.) The Jesuits numbered 528, and their departure struck a severe blow to education in Mexico.

Sierra goes on to say:

The laws of December 12 and 14, 1872, completed the confiscation of the endowment funds which had been created to support the educational institutions of the Republic. The great private foundations, which had accumulated through three centuries, were thus swept away, and no others were created to replace them. The wealthy Spaniards had been one of the greatest sources of these endowment funds; and as the Spaniards were expelled in 1828, that fount was definitely closed. The attacks upon wealth, and particularly upon the clergy, completed the work of preventing any further donations for the support of educational institutions; and as the Government itself was penniless, the result is obvious. (Op. cit., p. 538.)

During the revolution chaos that prevailed with growing intensity, from 1810 until almost 1880, there was little opportunity for the extension of educational facilities or works of public benefit. The church was under constant attack and by the time Diaz had established a character of order it had been robbed of every dollar and every piece of property. In fact, the educational, financial, and benevolent institutions of the country, built during 300 years, were reduced to utter ruin.

I would like also to put into this statement, that in later years, under the constitution and laws of reform, Catholics have been obliged to be very reticent regarding the number of schools they had in Mexico.

For example, officially in Puebla it was reported, at the primary educational congress in 1911, that the clergy had 24 schools in that State. In the United States, however, it was not so necessary to allow people to do guesswork, and the number was given as 300. The same report gives 69 as the number of schools directed by Catholics in Michoacan. However, in the United States it was known that there were 270. The archdiocese of Mexico had over 230 schools with about 50,000 pupils, and there were a number of private schools conducted independently by the clergy.

In addition there was a large number of private schools conducted by Catholic citizens employing lay teachers.

In the absence of exact data only round numbers can be given for the whole country. There were several thousand schools caring for upwards of 300,000 pupils. That this number is not an exaggeration is evident by the complaints of some of the revolutionary pamphleteers, who urged the large number of Catholic schools as one of the pretexts for revolution.

The oppressive effect of the anti-Catholic laws was particularly apparent in the case of the professional schools. Civil engineers or doctors educated in Catholic colleges were barred practically from practicing their professions by reason of the numerous and exasperating difficulties placed in their way merely because they were Catholics. The purpose and effect of these hampering regulations was to force students into the government schools where an active propaganda was carried on against religion.

I want to emphasize the fact that all the work that was done since 1857 was done in spite of an adverse law. I want to put it in the record without having had the question asked, because I want it known that what the church did since 1857 for education it had to do by stealth and at its own risk. That covers the educational feature.

Mr. KEARFUL. Is it the result of your investigation that whatever educational work has been accomplished in Mexico prior to the confiscation of church and school property was done by the Catholic Church?

Monsignor KELLEY. Prior to the confiscation the amount of educational work done outside of the church and its influence, I think, was practically nil.

Mr. KEARFUL. And since that time your answer to the criticism of John Lind is that the church could not, under the law, do even what it has done in the way of education?

Monsignor KELLEY. My answer is that I have been told time and time again of Catholic schools that were selected for raiding, by the State authorities, because complaints had been lodged with President Diaz against them, the complaints being simply Catholic religious communities were in existence and teaching. President Diaz knew that these schools were necessary for the people. He ordered the raids in accordance with the law, but somehow, in most cases, advance information was received and there was nobody in the school building when the officials arrived.

Mr. Lind charges that we have not done enough to promote popular education in Mexico. It was under these conditions that we have worked since 1857, robbed of our endowments, robbed of our build-

ings, so that everything that we have done was contrary to the law. And yet we have produced, purely through Catholic education in Mexico, an Indian race that we do not hesitate to compare with our own Indian races in America. This country has spent millions of dollars in schools and colleges for the North American Indians. I can not remember the name of one single North American Indian who has come to the front in any line of endeavor, except as a military leader, such as Sitting Bull. But the blood of the Mexican Indian is in probably 85 per cent of the Mexican people, and they have produced a governmental genius like Diaz, soldiers like Mejia, surgeons like Urrutia, philosophers like Bishop Mungia, scientists like Carrillo y Ancona, theologians like Alarcon, poets like Altamirano, political savants like Estagnol, journalistic lights like Sanchez Santos, artists like Panduro and Velazques, and lawyers like Jose Vereá. In every walk of life, in every profession or trade, in education, science, art, statesmanship, the Mexican Indian has had his place, while his teachers are charged with having neglected him.

MR. KEARFUL. Have you anything to say about the relationship of the church and state in Mexico from a historical viewpoint?

MONSIGNOR KELLEY. The only union of church and state in Mexico was during Spanish times, with a loose bond for a few years after. From my reading of the history of Mexico, I judge that, while the union in many cases helped the missionaries, and while under some governors it worked well and for the benefit of the people, in general it only enabled colonial officials to retard the work of the church. As I have stated already, the church in Mexico is not asking for a union of church and state, and in my judgment, the bishops of Mexico would run very far away from any such thing, if they feared that it might be offered. What they want is religious liberty, and let it go at that; not religious liberty for themselves alone, but religious liberty for all, just as it exists in the United States of America.

MR. KEARFUL. Mr. Lind, in his testimony, mentions the Catholic party in Mexico as a political influence. What do you know about that Catholic party?

MONSIGNOR KELLEY. The Catholic party was founded shortly before Madero took office, as a conservative party, to try by constitutional means to do away with the irreligious clauses of the constitution of 1857 and the laws of reform. In other words, the Catholic party was trying to bring about in Mexico that same religious liberty that we have here.

MR. KEARFUL. And that Mr. Byam wrote about?

MONSIGNOR KELLEY. And that Mr. Byam wrote about. In all other respects the Catholic party was simply a conservative party. It was a departure in Mexico from the ordinary to have a party which intended to appeal to the people at the polls, and to rely upon its strength with the people to secure the adoption of its policies. Naturally, the leaders went to see Madero. They told him what they intended to do, and get his opinion. Madero praised them, welcomed the party as one of the first fruits of his own policies, and told the leaders to go ahead, which they did. No one knows the actual result of the election, because while the voting was honest, nevertheless the count was a different matter. It is generally supposed that the Catholic party won the election, but it was assigned only a small number

of seats, because Madero's brother immediately started a group called La Porra, which was formed to shout the Catholics down. The conservatives took the name "Catholic" so that, when they went before the people, all would know that that was the body trying to do away with religious disability. The church had nothing whatever to do with it officially. It was a movement among Catholic citizens, and I should say that if, in any republic of the world, the same oppressive laws were made against Protestants that were made against all religions in Mexico, there would be no question but that a Protestant party would be organized.

MR. KEARFUL. Have you read the testimony given by John Lind the other day?

MONSIGNOR KELLEY. Yes, sir; I read Mr. Lind's testimony yesterday.

MR. KEARFUL. Have you noticed any statements made by him that you would like to answer?

MONSIGNOR KELLEY. There are a few statements that I would like to refer to in a short way.

Mr. Lind stated: "Outside of the towns there was not a schoolhouse to be found in Mexico at that time." Now, I don't know whether Mr. Lind is referring to the time when he himself was in Mexico, or whether he is referring to the time when the Catholic church was supposed to be in control of education in Mexico. I presume the latter, because Mr. Lind says, "The policy of the church has not been to foster popular education of the masses." Now, if Mr. Lind means there was no schoolhouse to be found in Mexico when he was there, outside of the towns, I answer that he must ask his revolutionary friends the reason. If he means that there was not a schoolhouse outside of the towns before the confiscation of church property, I can only pity Mr. Lind as being completely ignorant of what he is talking about, or an intentional prevaricator.

Again, Mr. Lind says that "more schools were established under the Carranza government than ever before." You asked him whether more schools were established under the Carranza government than ever before. He answered "yes." I do not know where Mr. Lind got his figures. My information is the opposite. He mentioned a certain number of Mexican girls who were sent up here to be instructed in teaching. These girls were sent up by the governor, Gen. Salvador Alvarado, of Yucatan. And yet many schools of Yucatan have been, according to all the information that we can get, in charge of people who can neither read nor write, and who were purely political representatives of the socialistic government of Alvarado. I heard that some Mexican young women had been sent up here, but I also heard that they did not remain. There are no more schools in Yucatan than there were before the revolution, and there are few schools of any value even now. There are fewer schools in all Mexico than before the revolution.

Mr. Lind stated, in answer to a question as to whether or not the Catholic Church was responsible for the difficulties of Mexico, that he felt that a State church in politics is a misfortune to any country. As I have already pointed out, the Catholic Church in Mexico is not a State church, nor has the Catholic Church in Mexico politics. If you go back to Spanish times, when the church connection with the State, you will find the most glorious

period of Mexican history, the one period during which actual progress toward civilization and enlightenment was made. Since the confiscation of the church property and the persecution of the church, anyone reading the history of Mexico can see the country has reached the depths.

Mr. Lind referred to the Catholic party also, but I have answered that question.

Mr. Lind also said that he did not say to Mr. Frisbie that the Catholic Church should be driven out of Mexico. I do not know Mr. Lind personally, but I have had the pleasure of meeting Mr. Frisbie. To me the question is one of veracity, because Mr. Frisbie told me that Mr. Lind had made that statement to him.

Mr. Lind also says he thinks it a misfortune that a larger effort by those in a position to exercise power had not been made to establish and maintain popular education. Inasmuch as he had just been talking of the church, I presume his reference is to the clergy. The only power the clergy exercised in establishing and maintaining education was exercised, as I have already shown, in spite of the law. If we had exercised any more of zeal in the same way we would have had more special representatives coming back to say that the Catholic Church got what she deserved, because she was violating the law. Now, when Mr. Lind regrets that we did not exercise our power more, does he regret that we did not violate the law more, or what? I don't know.

Mr. Lind also stated: "In the south, if Spanish writers and historians are to be believed, the cultural stage of the Mexican people was very nearly as high at the time of the conquest as it is to-day." If American writers and historians are to be believed, later investigation has shown us that this wonderful civilization of the Aztecs was largely based on the imagination of the Spanish conquerors. It was to their advantage to report great things done, and they did so report to the King of Spain. Every victory won was a great victory; every town captured was a great town; every bit of loot they had was untold wealth. Later on the Spanish governors desired to have Spain make large appropriations for the colonies. It was still their business to exaggerate, and they exaggerated. The best authority on the subject is Bandalier. Prescott is no authority. Placing him side by side with Bandalier on the question of the aboriginal Mexican, he descends to the position of a gossip.

Mr. Lind also stated, in answer to a question as to whether or not he had anything to say regarding my "Book of Red and Yellow," that he did not want any controversy with any "Jesuit or anyone else." I should like to register the fact that Mr. Lind flatters me by calling me a Jesuit. I wish I were pious enough and learned enough to be classed as a Jesuit; but if it will reassure Mr. Lind, I now tell him that I am not a Jesuit, and never was one.

Mr. KEARFUL. I believe those are all the questions I wish to ask you at this time. Is there anything further that you care to state?

Monsignor KELLEY. No; I believe I have covered all that I had in mind.

Mr. KEARFUL. Then you will be excused. The committee is very much obliged to you.

(Whereupon, at 12.30 o'clock p. m., the committee adjourned until 2 o'clock p. m.)

AFTER RECESS.

(At 2 o'clock p. m., pursuant to the adjournment taken, the committee reconvened, and the following further proceedings were had:)

TESTIMONY OF EBER COLE BYAM.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. Please state your name in full.

Mr. BYAM. Eber Cole Byam.

Mr. KEARFUL. What is your business?

Mr. BYAM. At present I am writing and translating.

Mr. KEARFUL. What is your office address?

Mr. BYAM. I have no office. My residence is 7023 North Paulina Street, Chicago, Ill.

Mr. KEARFUL. How many years' residence have you had in Mexico?

Mr. BYAM. I went to Mexico in 1895, and with the exception of various trips to the United States on business, I was there until 1907.

Mr. KEARFUL. To what extent have you been a student of Mexican history?

Mr. BYAM. Well; I may say that I have been a student of Mexican history since I first took an interest in the country, which was before I went there.

Mr. KEARFUL. What was your business in Mexico?

Mr. BYAM. I went to Mexico first and obtained employment in a lumber camp located in the mountain range bordering on the valley of Mexico and near the town of Ixtlahuaca. I was also engaged in building railroad, grading and laying track. From there I went to the State of Chiapas, where I was employed in plantation work.

Mr. KEARFUL. Have you traveled considerably over Mexico?

Mr. BYAM. In the central highlands, in the States of Mexico, Hidalgo, Queretaro, Oaxaca, and the States of Chiapas and Tabasco. Most of this in the saddle.

Mr. KEARFUL. Did you become pretty well acquainted with the plantations and the mode of operation in the southern part of Mexico?

Mr. BYAM. I did.

Mr. KEARFUL. What experience did you have with the Mexican laborers and with the Indians on and about those plantations?

Mr. BYAM. My first experience with Mexican laborers, and particularly with the Mexican Indian, was in the lumber camp and in the railroad work. In the latter I had the direction of as many as 600 Indians. These laborers I secured myself by traveling through the interior, in the country located between the Mexican Central and the Mexican National railroads. These Indians lived in their villages, and came to work for varying periods and would then return to their homes. At this particular time the wages paid them varied from 25 cents to 35 cents per day.

Mr. KEARFUL. Mexican money?

Mr. BYAM. Mexican money. I always found them very satisfactory as laborers, good workmen, loyal and satisfied with the conditions of labor and the pay. I may say that the pay represented to them just that much velvet, because they possessed their own homes and lands from which they secured subsistence.

Mr. KEARFUL. How did the wages that were paid to them for railroad work compare with the wages received for plantation work from the Mexican plantations?

Mr. BYAM. In the plantation work, we secured the Indians by sending men into the mountains among the Indian villages. These Indians came to work at a wage of \$1 per week, and were supposed to furnish their own rations. However, we did not insist upon the latter part of the agreement, and I always fed them, giving them all that they desired to eat of the rations which they themselves preferred. After these Indians had once come to the plantation to work we would keep them there by paying them 50 cents per day. They would remain for irregular periods, and return to their homes. After remaining in their homes for a number of weeks they would again come to work. The wages in that particular section gradually increased until these laborers were receiving 75 cents and \$1 per day, including their rations.

Mr. KEARFUL. What have you to say in regard to the testimony of **Mr. John Lind** to the effect that the operation of Americans on the plantations in southern Mexico was injurious to the Indians?

Mr. BYAM. I did not find it so.

Mr. KEARFUL. You are an American citizen, are you?

Mr. BYAM. I am an American citizen.

Mr. KEARFUL. And you are one of those operating there?

Mr. BYAM. I am one of those operating there.

Mr. KEARFUL. What did you observe to be the effect upon the Indians, of the operation of the Americans in that region?

Mr. BYAM. Distinctly to their benefit.

Mr. KEARFUL. In what respect?

Mr. BYAM. It gave them the opportunity of regular employment, and by paying them and introducing money into the country it increased the circulating medium of that section.

Mr. KEARFUL. Was there any improvement in the condition of the Indians with respect to the methods employed by them in agriculture, and also in their mode of living?

Mr. BYAM. No. The Indian has his own way of living that he prefers to follow. I observed that the money which he earned would be spent in the villages, a portion of it; some for articles of various kinds to which they were not accustomed. They would supply themselves with new machetes, for example, and would purchase cotton prints, and these articles they would take to their homes. They would take away with them a good deal of cash, which served to rejuvenate the commerce of the interior of the State.

Mr. KEARFUL. What was the attitude of the Indian in those days toward the American operators?

Mr. BYAM. It was friendly. I can give an example of the attitude of the Indian toward the Americans. At one time when I was at work in the lumber camp I was given charge of several hundred Indians to go to a distant point where there was a forest fire, and on the way thither we were compelled to stop and rest. I lay down at the foot of a tree to sleep, wrapped in my cloak. I slept for some two hours. The altitude was above 10,000 feet and the temperature was below freezing. When I awakened, I discovered that the Indians, some of the Indians that accompanied me, had

slipped up after I had gone to sleep, and covered me with their blankets. If there had been an unfriendly feeling toward Americans they hardly would have taken such action.

Mr. KEARFUL. Is that an illustration of the feeling of the Indians generally toward Americans?

Mr. BYAM. I would say that was the feeling generally throughout Mexico.

Mr. KEARFUL. At that time.

Mr. BYAM. At that time. The Mexican Indian, and by that I mean every Mexican possessing enough Indian blood to be imbued with Indian characteristics, does not consider class or racial distinctions. To illustrate: If an American were to mistreat a Mexican Indian that Indian would not dislike all Americans in consequence.

He would consider only his individual persecutor and endeavor to avoid him. During the recent revolution they were taught by the socialist agitators to shout, "Death to the clergy!" But this meant only an individual to the Indians. So they hunted for a mythical Mr. Clergyman from Sonora to Yucatan without finding him. Meanwhile they showed every respect to the priests. The outrages against the clergy were committed by the socialist leaders and their criminal, vagabond following.

Mr. KEARFUL. What do you know about peonage in that portion of Mexico?

Mr. BYAM. In the central highlands I never discovered any signs of peonage. The Indians came to work, did their work, and received their pay. Peonage existed at that time amongst some of the tropical plantations, and in the southern part of the country; and that peonage, I may say, was similar to the peonage in the southern State of the American Union.

Mr. KEARFUL. You are not referring to the black slaves, are you?

Mr. BYAM. No; I am referring to the present condition of making advances to laborers of wages which they later work out.

Mr. KEARFUL. Did you observe the method of treatment that was accorded to those peons?

Mr. BYAM. Methods of treatment on all the American plantations were distinctly favorable. They were given houses rent free in which to live; they were furnished rations which were sufficient for their subsistence, and if they desired, they were given the privilege of planting as large an area of ground as they desired to plant and cultivate, at no cost to them. Then, all of them had their chickens and pigs.

Mr. KEARFUL. Were they discontented with their lot or otherwise?

Mr. BYAM. Very much contented.

Mr. KEARFUL. Did you know of any attempt being made by American plantation managers to imprison them, keep them against their will, or to keep them at work by fraudulent means?

Mr. BYAM. In no case.

Mr. KEARFUL. Did you have occasion to observe the operation of a good many of those plantations?

Mr. BYAM. I did.

Mr. KEARFUL. Was the system employed by the Americans the established custom of the country?

Mr. BYAM. The Americans merely followed the established custom of the country.

Mr. KEARFUL. Was there any other way in which the large plantations could be operated?

Mr. BYAM. There was no other way to keep a permanent force. The peons on the plantations—that is, those laborers to whom advances of money had been made—formed the permanent labor force on the plantation. They lived on the plantation. The other laborers, who came in from the outside, who would work and go away and then return again, were not peons in that sense.

Mr. KEARFUL. Is it true, as has been charged, that the peons of whom you speak were kept in a condition of slavery by the plantation managers?

Mr. BYAM. I never observed anything of the kind. I do not believe it to be true. In every case under my observation these so-called peons received advances of wages, or their debts owing to others were paid, and they came to work voluntarily, understanding fully all the conditions, and they looked upon the amounts they were permitted to owe as being, in a sense, an indication of their social standing and the confidence which their employer placed in them. Indeed, I have heard these laborers discussing the amounts which they owed, and I have heard one and another of them bragging to their fellows of the amounts which they owed as being indicative of their character and honesty.

Mr. Lind, in his testimony, admitted that he had visited but one plantation in Mexico and took occasion to state that this was an American plantation and that the laborers were locked up at night and otherwise severely treated. The plantation that he visited was one of the few in Mexico employing convict labor, much in the same manner as I understand that Mr. Burleson, the Postmaster General, has employed American convict labor on his plantation in the United States.

Mr. Lind's strategy and tactics follow the precedents established by the propagandists of socialism in general and the Mexican revolutionists in particular. They select some isolated incident, tell half the truth about it and present it in a manner calculated to mislead people into accepting it as representative of the country at large.

Mr. KEARFUL. Have you read a book by John Kenneth Turner entitled "Barbarous Mexico"?

Mr. BYAM. I have.

Mr. KEARFUL. Have you any comments to make upon that book?

Mr. BYAM. The very best that I could say for Mr. Turner is that he permitted himself to be misled to an extraordinary degree. I understand that Mr. Turner spent only a few months in Mexico; that he spoke no Spanish; that he was conducted through the country by a well-known Mexican socialist. From my own knowledge and experience I am satisfied that the statements which he makes in the book as to the conditions in Mexico, social, economic, and religious, are mostly false, and those which are not false are greatly exaggerated. He has taken individual instances and has multiplied them to appear as being representative of the entire country.

Mr. KEARFUL. Have you any information as to whether or not he personally wrote those parts of the book in reference to social, economic, and religious questions?

Mr. BYAM. I have been informed that a large part of it was written by a Mexican in Spanish, and was later translated.

Mr. KEARFUL. Was that the Mexican socialist to whom you referred?

Mr. BYAM. I believe so.

Mr. KEARFUL. What is his name?

Mr. BYAM. Gutierrez de Lara.

Mr. KEARFUL. What is and was his reputation as to extreme radical socialism?

Mr. BYAM. That he was an extreme radical, extremely radical socialist. I think Mr. Turner's connection with the Socialist Party or organization in this country has been fairly well established. He has written a good deal on Mexico since he published his book called "Barbarous Mexico," and I believe he is still writing for socialist publications.

Mr. KEARFUL. What do his writings indicate with respect to his connection with the radical socialists?

Mr. BYAM. In his book called "Barbarous Mexico" he gives the names of a number of Mexican radicals who were at one time or another compelled to seek refuge in the United States, men who later became active in the Mexican revolutions.

Mr. KEARFUL. What do his later writings show?

Mr. BYAM. That he is just as radical as any of the Mexican radicals. For some time he was an accredited correspondent for the Socialist paper called the Appeal, and in that paper he has published articles in which he has mentioned so-called secret trips to Mexico to communicate with the Mexican radicals. In one article published by Mr. Turner in the Appeal, he stated that he had made a secret journey to Mexico to confer with the revolutionists. The time of that visit corresponded with the activities of the Mexicans attempting to put into effect the plan of San Diego.

Mr. KEARFUL. Was that the plan which contemplated an invasion of the United States, and about which the committee recently took testimony on the border?

Mr. BYAM. It is.

Mr. KEARFUL. In this country we hear a good deal about the agrarian problem in Mexico, to the effect that the troubles in Mexico would disappear when the great estates are divided up into small individual holdings. What have you to say in reference to that?

Mr. BYAM. I never heard of any land question, such as is understood by your question, in Mexico. Amongst the many Indian villages that I have visited I have always found them in possession of their community fields, with which, so far as ever came to my knowledge, they seemed to be perfectly contented. In the central highlands of Mexico, which is the most densely populated portion of the country, where approximately 70 per cent of the population of Mexico lives upon some 30 per cent of its area, the land is well divided. I have the figures for the number of farms in the State of Jalisco, and a tabulation of the number of farms in the United States, which I will leave with the committee.

Mr. KEARFUL. This is a table showing, with reference to each of the States of the American Union, the area in square miles, population, number of farms, number of persons to each farm, number of acres to each farm, and the density in population per square mile; and at the foot corresponding totals with reference to all of the

States of the American Union taken together. Then follows the same data with reference to the State of Jalisco, which shows that this Mexican State compares approximately on an average in area and population with the States of the American Union; that in that State there are 165,816 farms, which is very much more than in a majority of the American States; that there are persons to one farm, 7.3, which is very much less than the average of persons to one farm in the States of this Union; that the average acreage of each farm is 130, being much less than the average acreage of most of the States in the American Union; and that the density of population persquare mile is 36.2 as against 30.2 in the American States. From what source was this table compiled?

Mr. BYAM. The tabulation regarding the United States was taken from the census returns of 1910; regarding the State of Jalisco the data is taken from the assessment list for the fiscal years 1912 and 1913.

Mr. KEARFUL. Have you the data for any other Mexican State than Jalisco?

Mr. BYAM. Not completely. That is the only data which I have complete.

Mr. KEARFUL. Do you consider the data given here as to Jalisco a fair illustration of other Mexican States situated upon what you have called the highlands of Mexico?

Mr. BYAM. It is fairly representative. The State of Guanajuato is even more finely divided than the State of Jalisco, but I have no official data at hand to substantiate that statement.

Mr. KEARFUL. If you have no objection, the table referred to will be inserted in the record at this point.

Mr. BYAM. Very well. I would like to call attention to the fact that for lack of exact figures on farm acreages I was compelled to divide the total area of each State by the number of farms to arrive at the relative proportion shown. The same was done in the figures for Jalisco.

(The table referred to is here printed in full, as follows:)

	Area, square miles.	Popula- tion.	Farms.	Persons to 1 farm.	Acres to 1 farm.	Density of popu- lation.
Alabama.....	51,998	2,138,093	280,000	7.6	118	41.7
Arizona.....	113,956	204,354	13,000	15.8	5,612	1.8
Arkansas.....	53,335	1,574,449	230,000	6.8	148	30
California.....	158,297	2,377,549	98,000	24	1,034	15.3
Colorado.....	103,948	799,024	60,000	13.4	1,110	7.7
Connecticut.....	4,965	1,114,756	27,000	41.2	118	231.3
Delaware.....	2,370	202,322	11,000	18.3	137	103
Florida.....	58,696	751,139	56,000	13.4	668	13.7
Georgia.....	59,265	2,609,121	330,000	7.9	114	44.4
Idaho.....	83,888	325,594	38,000	8.6	1,420	3.9
Illinois.....	56,665	5,638,591	245,000	23	148	100.6
Indiana.....	36,354	2,700,876	215,000	12.6	108	74.9
Iowa.....	56,147	2,224,771	215,000	10.3	166	40
Kansas.....	82,158	1,690,946	180,000	9.4	290	20.7
Kentucky.....	40,598	2,289,905	270,000	8.5	96	57
Louisiana.....	48,506	1,656,388	124,000	13.4	252	36.5
Maine.....	33,040	742,371	60,000	12.4	355	24.8
Maryland.....	12,327	1,295,346	50,000	25.9	158	130.3
Massachusetts.....	8,266	3,366,416	37,000	91	142	418.8
Michigan.....	57,980	2,810,173	209,000	13.5	177	48.9
Minnesota.....	84,682	2,075,708	157,000	13.2	344	25.7
Mississippi.....	46,865	1,797,114	285,000	6.1	102	38.8
Missouri.....	69,420	3,293,335	275,000	12	162	47.9
Montana.....	146,997	376,053	36,000	10.4	2,550	2.6
Nebraska.....	77,520	1,192,214	135,000	8.8	365	15.5

	Area, square miles.	Popula- tion.	Farms.	Persons to 1 farm.	Acres to 1 farm.	Density of popu- lation.
Nevada.....	110,660	81,875	3,000	27.4	25,000	.7
New Hampshire.....	9,341	430,572	27,000	16	221	47.7
New Jersey.....	8,224	2,537,167	33,000	77	160	337.7
New Mexico.....	122,634	327,301	45,000	7.2	1,740	2.7
New York.....	49,204	9,113,279	215,000	42.2	146	191.2
North Carolina.....	52,426	2,206,287	275,000	8	122	45.3
North Dakota.....	70,837	577,056	95,000	6	475	8.2
Ohio.....	41,040	4,767,121	270,000	17.7	97	117
Oklahoma.....	70,057	1,657,155	220,000	7.6	205	23.9
Oregon.....	96,699	672,765	52,000	12.8	1,182	7
Pennsylvania.....	45,126	7,665,111	218,000	35.2	130	171
Rhode Island.....	1,248	542,610	5,000	108	160	508.5
South Carolina.....	30,989	1,515,400	190,000	7.9	104	49.7
South Dakota.....	77,615	583,888	95,000	6.1	522	7.6
Tennessee.....	42,022	2,184,789	260,000	8.4	104	52.4
Texas.....	265,896	3,896,542	540,000	8.7	379	14.8
Utah.....	84,990	373,351	24,000	15.5	2,275	4.5
Vermont.....	9,564	355,956	33,000	10.8	185	39
Virginia.....	42,627	2,061,612	195,000	10.6	140	51.2
Washington.....	69,127	1,141,990	70,000	16.5	635	17.1
West Virginia.....	24,170	1,221,119	100,000	12.2	154	50.8
Wisconsin.....	56,066	2,333,800	182,000	12.8	197	42.2
Wyoming.....	97,914	145,965	15,000	9.7	4,150	1.5
Total.....	3,026,719	91,641,197	6,717,000	13.6	487	30.3
Jalisco.....	33,486	1,202,802	165,816	7.3	130	36.2

Mr. BYAM. In the district of Tlalnepantla, near the City of Mexico, the assessment list for the year 1870, as I recall it—I have not the official data right at hand—gives more farms than families resident in the district.

Mr. KEARFUL. What significance do you attach to the data you have just furnished with reference to the land problem, so-called?

Mr. BYAM. That it refutes the claims made by those favoring the Mexican revolutionists, that there was a land problem, and that it was a legitimate pretext for revolt. I may mention incidentally that the revolutionists have represented, and even officials of this Government, or those speaking for them, have stated that the land question was a fundamental cause of revolution in Mexico; and that one particular writer, Mr. George Creel, stated in a book called "Wilson and the Issues," that all the land in Mexico was divided among 10,000 owners.

Mr. KEARFUL. Do you recollect if Mr. George Creel had occasion to revise some of his statements with respect to the operation of the American oil men in Mexico and retracted what he had said on that subject?

Mr. BYAM. I have so observed, but I have not yet discovered any retraction regarding the land business. In the State of Chiapas, in which the population is largely Indian, every village possesses an ample area of land for the use of the inhabitants. I know of a number of villages whose public lands, called "ejidos," are occupied and made use of by only a few families. There are vast areas of very excellent, rich and fertile public lands, in addition to these lands belonging to the villages, which have been available to the public at very cheap prices, prices set by the Government, and which, at the time I was in Mexico, could have been obtained from the Government by any Mexican so desiring for from a few cents to a dollar per acre.

Mr. KEARFUL. How did the opportunity to procure valuable homesteads compare with similar opportunities in the United States?

Are you acquainted with the system of disposing of public lands in the United States to settlers at a small sum per acre, with the obligation of five years' residence?

Mr. BYAM. I am.

Mr. KEARFUL. How did the opportunities in Mexico compare with the opportunities of settlers in the United States to procure public lands at a nominal price?

Mr. BYAM. The Mexicans had equal opportunities.

Mr. KEARFUL. Did they avail themselves of it, largely?

Mr. BYAM. Not that I could ever discover.

Mr. KEARFUL. Did you ever discover a general, insistent demand in Mexico among the lower classes of the natives for land to settle upon and own as their homes, individually?

Mr. BYAM. Not at all. I think I can illustrate that by an instance which came under my own observation. One particular piece of property in the State of Chiapas had on it some three hundred families of squatters. The owners of this piece of property endeavored through a number of years to induce these squatters to accept title to their farms. After much effort less than half were induced to accept an average of some twenty-five acres each. The remainder refused absolutely to accept title. The only charge to which they were subjected was that of the survey, a charge that was merely nominal. And I may say that nearly all of these squatters were prosperous, to the extent that any one of them could obtain credit at any of the stores in the village for as much as \$500.

Mr. KEARFUL. According to your observation and experience, what would be the result if the large plantations were divided up and distributed among the natives who work those plantations?

Mr. BYAM. It would be to the advantage of nobody and to the distinct disadvantage of the natives themselves, outside of the Indian communities where possession of the land is common.

Mr. KEARFUL. And where they are exempted from taxation?

Mr. BYAM. And where they are exempt from taxation. In fact, the Indians in Mexico have escaped practically every character of taxation.

Mr. KEARFUL. You are speaking of conditions outside of community property?

Mr. BYAM. Yes, sir. Outside of the community property the laborers on the plantations are distinctly better off when not owning property, because they escape any burdens which might come through the ownership of such property and are free to cultivate here and there as the conditions may be best for such cultivation. In the central highlands, where plows are used, the owners of the property furnish them with the implements for such cultivation. It has always been customary on the plantations in Mexico to permit the laborers to cultivate such extensions as they may please.

Mr. KEARFUL. For their own use and without charge?

Mr. BYAM. For their own use, but not always without charge. In some sections a system has been pursued somewhat similar to that followed in the southern United States with the negroes, of cropping on shares.

Mr. KEARFUL. In addition to the cropping on shares, the Indian is employed on the plantation? Is that the system?

Mr. BYAM. He finds employment on the plantation.

Mr. KEARFUL. What do you think would become of the titles to the small tracts, if the large plantations were divided up into small tracts and turned over to the Indians?

Mr. BYAM. I would expect the Indians to pursue much the same course that they have pursued in Mexico, and that has been pursued in the United States—that they would sell the properties.

Mr. KEARFUL. And would be forced to sell on account of the burdens of taxation and necessity of going into debt to maintain themselves through a bad year or something of that sort?

Mr. BYAM. Yes; and often to satisfy some childish caprice.

Mr. KEARFUL. So that, after a division of these lands, they would be sold and necessarily revert to that form of operation which by experience is known to be most economical, namely, operation in large tracts?

Mr. BYAM. Exactly.

Mr. KEARFUL. What do you know about the schools in Mexico?

Mr. BYAM. As regards the Government schools, when I was in Mexico I discovered schools in nearly every village which I visited. They were primitive, the equipment was very primitive, and the teachers were poorly paid, as teachers seem to be everywhere, but an effort was being made to educate the people.

Mr. KEARFUL. What do you know about the education of Mexicans by the Catholic church?

Mr. BYAM. The Catholic church at one time had charge of practically all the educational institutions of the country, but after the enforcement of the constitution of 1857 all of these institutions were seized and the church deprived of every means of educating the people, and every impediment placed in its way by the Government.

Mr. KEARFUL. That is since the constitution of 1857?

Mr. BYAM. That is since the constitution of 1857.

Mr. KEARFUL. Referring to the period of the educational work of the church among the Indians in Mexico, how did the system compare in its results with the system which has been followed in this country by the Government in educating the Indians?

Mr. BYAM. The first efforts of the church in Mexico toward the education of the Indians began shortly after the conquest, and the work was undertaken by the missionaries. They were the only individuals available for teaching. They established schools and gathered Indian children in those schools, where they were housed and fed and clothed according to the Indian standard of luxury. They were taught to read and write, given religious instruction, and kept from contact with their parents as much as possible, to avoid the perpetuation amongst them of the native idolatry. There is one fact that I would like to mention here, and that is that the Mexican Indians that were discovered and conquered by the Spaniards were cannibals, and that the Spaniards, both lay and clerical, had considerable difficulty in eradicating the custom of human sacrifices and their cannibalism. The Mexican Indians practiced cannibalism to an exaggerated degree. That that cannibalism was a part of their religious ritual has been urged by some in extenuation of it, but it would appear from the available data that when the Mexican wanted meat, he found some occasion to make a sacrifice

to the Gods and thereby obtain a feast. In the dedication of the principal temple in the City of Mexico in 1487, the Aztecs, according to their own records, sacrificed 20,000 victims in a four days' carnival of killing.

Mr. KEARFUL. One of the problems met with in the education of the American Indian in this country has been that the young Indians, after having been graduated out of the school, returned to their tribes, and reverted to the condition of savagery from which they came, and sometimes became more vicious because of their education. Has that been true of the Mexican Indians educated in the Catholic Church schools, and if not, what was the reason?

Mr. BYAM. The Catholic missionaries in Mexico were faced with the difficulty of the pupils reverting to the mode of life of their parents. To overcome that they established as many boarding schools as possible. Those that could not be kept in the boarding schools naturally returned to the villages, but the moral and religious training which was given by the missionaries, in addition to learning to read and write, established a devotion to religion, which 100 years of revolutionary radicalism has had little effect upon.

Mr. KEARFUL. Do you think the moral and religious training, in addition to the popular branches, constitutes the main difference between the education of the Mexican Indian and the education of the American Indian?

Mr. BYAM. I believe it to be so.

Mr. KEARFUL. Do you think that accounts for the fact that the Mexican Indian has not been so prone to revert to the old mode of life?

Mr. BYAM. That has been my observation.

Mr. KEARFUL. Mr. John Lind, in his testimony, found fault with the educational activities of the church in Mexico, because it had not done more than it did do of late years in the way of popular education of the masses. What have you to say on that subject.

Mr. BYAM. During the colonial period the church in Mexico was in reality a dependency of the State. It was subject to the State. It could make no move whatever without the permission of the home government and the colonial government. The numbers of the clergy were limited. In reports that have been rendered to the Spanish Government by agents sent out by the Crown to investigate conditions in Mexico we find that a proportion of one priest to 5,000 of the population was the average sought. That refers particularly to the sixteenth and seventeenth centuries.

During the colonial period the Government officials and the ecclesiastical authorities were continually urging and recommending the continued establishment of schools and the education of the Indian. Every priest was required to maintain a school.

Mr. KEARFUL. The particular question was as to whether or not Mr. Lind was justified in his statement that the church in Mexico, of late years, had not done all it might have done in the position that it occupied to advance the popular education of the masses. Do you think he was justified in that statement?

Mr. BYAM. I do not think he was justified.

Mr. KEARFUL. For what reason? Do you think the church did all it could have done since the constitution of 1857?

Mr. BYAM. The church did all that was possible to do under the constitution of 1857, and even went to the extent of violating the law in order to educate the children. Schools were established and the buildings and equipment placed in the names of private individuals, because it was against the law for the church to own any property. It was against the law for any religious orders to be in the country. Nevertheless, religious orders existed for the purpose of teaching in those schools.

Mr. KEARFUL. Do you understand that was permitted particularly by Porfirio Diaz because he understood that was for the benefit of the people?

Mr. BYAM. Yes.

Mr. KEARFUL. Even though it was against the law?

Mr. BYAM. Exactly.

Mr. KEARFUL. Have you come in contact with any Protestant missionaries in Mexico and the work they are doing there?

Mr. BYAM. I came in contact particularly with two of them. One was a missionary who was stationed at Guadalajara. He always treated the subject quite pessimistically, and in the course of our conversations expressed his discouragement at the lack of conversions. He informed me that when it became necessary for any reason to show that he had a congregation that he was accustomed to send out the Mexican servants of his household with small coins that they might hire their friends and relatives to appear and act temporarily as a congregation. Attendance at meetings also was obtained by the distribution of coins at the door at the close of the services. I met a missionary who had been working, so he informed me, for nine years in the State of Tabasco. He was still hopeful of results, though during the nine years he had secured but 11 converts. However, one of these converts had died, and before dying had recanted.

Mr. KEARFUL. Mr. Lind, when he testified, was asked about a booklet of which he is the author, entitled "The Mexican People," in which he gives an account of the high state of civilization existing among the Mexican aborigines at the time of the Spanish conquest, and his attention was called to the fact that Monseigneur Kelley had subsequently, in his Book of Red and Yellow, charged that the historical matter given by Mr. Lind had been shown by subsequent and more thorough historical investigation to be very largely imaginary. In the Book of Red and Yellow by Monseigneur Kelley there is a deadly parallel in which the account given by Mr. Lind is placed in juxtaposition to very similar matter contained in an old edition of the Encyclopedia Britannica.

Apparently to avoid the effect of this circumstance, Mr. Lind brought here a volume entitled *Historia de La Conquista de Mejico*, by Don Antonio de Solis, published in 1666. He then undertook to show that the historical matter which he had used had been taken from that book. Are you familiar with the book referred to by Don Antonio de Solis?

Mr. BYAM. I am. I have a copy of it.

Mr. KEARFUL. Have you read it?

Mr. BYAM. I have.

Mr. KEARFUL. What have you to say with reference to the authority of that book?

Mr. BYAM. That it is not accepted as authority by any historian. It is largely a rehash of Bernal Diaz.

Mr. KEARFUL. What can you say with respect to the view of authoritative historians as to the high standard of civilization of the Mexican aborigines?

Mr. BYAM. Bandolier made a very exhaustive study of that particular subject, and the result of his labors and his conclusions are accepted to-day by all historians as being practically the last word upon the subject. He refutes definitely, and gives a large number of authorities in support of his conclusions, that there ever existed among the Mexican Indians any such a condition as pictured by Mr. Lind. As a matter of fact, Mr. Bandolier tells us that they were a very barbarous people; that they had no conception of a nationality. Every village was practically autonomous. There was no empire, consequently there could have been no emperor. The Aztecs, living in what is now the City of Mexico, where a marauding, warring tribe, dependent for their subsistence upon the spoils of war and upon the tribute which they exacted from conquered tribes. These conquered tribes bore no relation to the Aztecs politically, other than tribute payers. The Aztecs did not interfere with their internal government. The so-called Aztec governors which the Spaniards found among the tribute-paying tribes were discovered later to be only the tribute gatherers. There was no political organization among the Mexican Indians in any way resembling a nation.

Mr. KEARFUL. What was finally found to be the truth about the early glowing account of a system of courts and schools and fine arts, etc.?

Mr. BYAM. They had been either nonexistent or exaggerations of mistaken ideas, mistaken impressions received by the first Spaniards.

The native traditions tell that in the distant past, long before the discovery of America, bearded white men came to Mexico, and the aborigines of that period are pictured as extremely primitive beings, living like the wild beasts whose flesh they ate raw, for it is said they knew not the art of making fire. According to these traditions the white men introduced a character of civilization. This civilization appears to have endured until the white blood became too widely diffused among the savage masses. Then began a degenerative process leading the people back toward their ancient savagery. In this state of retrogression the Spaniards found them. There are no evidences of a development of culture. The most ancient remains are the most highly developed.

The importance and extent of the work undertaken by the Spaniards to gather the people into villages and to induce them to adopt a sedentary life indicates their nomadic character. According to their own traditions, the Aztecs of the Indian pueblo of Mexico were nomads but a relatively short time before the coming of the Spaniards. Southern Mexico is dotted with ruined cities, yet few were inhabited at the time of the conquest. They appear to have been occupied in much the same manner as a tribe of Parisian Apaches might set up their gods of murder and thievery in the ruins of the cathedral at Rheims. From Palenque southeastward up the valley of the Usumacinta stretch group after group of ruins like beads

upon a string. They were buried in the jungle and forgotten long before Columbus sailed. They are but the dry bones of a civilization dead these many centuries.

The Spaniards brought with them the civilization and culture of Europe, which flourished in Mexico until the revolution of 1810. Since then their civilization has been struggling to keep its head above the rising flood of barbarism let loose upon it by the socialist agitators. The relatively short respite during the rule of Diaz served but to show what might be done. The recrudescence of savagery under Carranza and his socialist following has thrown the Mexican people back into a raging sea of anarchy from which they have cried in vain for rescue during seven long, hungry, and bloody years.

Mr. Lind's mission gave to his pamphlet an importance which its text fails to sustain. To expose its errors would require practically the repetition of it in its entirety and the citation of numerous authorities to refute the false and misleading statements with which it is filled.

Mr. Lind, in his testimony, claims that certain portions of his pamphlet are taken from Solis and not from the *Encyclopædia Britannica* as charged by Monsignor Kelley. An examination of Solis will discover no paragraph nor phrase remotely resembling those of Mr. Lind. The *Encyclopædia Britannica*, however, contains a number of phrases too exactly like those of Mr. Lind to be claimed as mere coincidences.

Mr. Lind's unfamiliarity with Mexico and its history, and apparently its language, have led him into some strange errors. He states, on page 7 of his pamphlet, that "The laws and records of the court were set down and kept in the picture writings which were in use." And that "Some of these records are still preserved in the National Museum." Solis distinctly declares that "They had no written laws." If Mr. Lind knows of any prequest law records, either in the Mexican National Museum or elsewhere, he has made a momentous discovery whose proofs he has neglected to reveal.

In the same paragraph Mr. Lind declares that "The criminal code was very severe. Fraud, the removal of landmarks, and adultery were punished by having the offender's head crushed between stones or by cutting out the heart." Regarding this subject Solis says that "Murder, theft, adultery, and any disrespect to the king or religion were capital crimes. Other crimes were readily pardoned because the religion itself, permitting iniquities, disarmed justice."

On pages 5 and 6 Mr. Lind says that "The kings were elected in the royal families." Solis says that "They observed always the custom of electing the greatest soldier as their king without regard to the succession, although in an equality of deeds they preferred the royal blood." The true significance of this will be apparent to those who have studied the American Indian.

The Spanish writers used terms intended to be understood by their readers rather than to convey an exactness of meaning. They wrote of *Reyes* or kings and *caballeros* or gentlemen. The latter term literally means horseman. The application of this term to the warrior class among the Aztecs did not mean that they possessed horses. Neither did the use of the word king mean that they possessed kingdoms.

Nearly every one of the 29 pages of Mr. Lind's pamphlet affords examples as glaringly inexact. It is quite evident that he failed to read Solis, or any other writer, with the care the subject merited.

In closing his pamphlet, Mr. Lind takes occasion to praise the Germans, thereby giving us some interesting evidence of how difficult it is for an immigrant to forget the prejudices brought with him from Europe. Sweden is strongly socialistic and pro-German. These characteristics have marked the Carranza faction and doubtless account, in part, for Mr. Lind's espousal of the Carranza cause.

In addition to Mr. Lind, I would like to cite a few instances illustrating how the American people have been misled and deceived by prejudiced propagandists in the interests of the Mexican revolutionists and against the Spaniards.

They are all agreed that Cortes, the conqueror, was an inhuman butcher who grievously oppressed the Indians. Yet when we examine the records of that period we discover that Cortes was charged with being altogether too popular with the Indians, and that he had curried favor with them, the alleged purpose being to cut loose from Spain and establish himself as an independent ruler. This was a contributing cause to his disfavor at court.

Bancroft, the historian, claims that the Spanish civil and ecclesiastical authorities exercised a rigid censorship to prevent the writing of anything unfavorable to their rule. Yet he supports his charges against them by numerous references to works that indicate not only extreme laxity in the alleged censorship but equally extreme looseness in Mr. Bancroft's statement.

Terry, in his guide book, prefers serious charges against all the Spanish viceroys in general. Yet when he reviews their individual terms in office he is compelled to praise many of them highly and can find cause for censure in only two, who ruled the country for but 6 years out of nearly 300.

When Charles Cullen translated the works of Clavigero he interpolated a whole paragraph at an important point, entirely reversing the meaning of the author. Subsequent writers have cited this spurious paragraph to support their claims.

William Butler, a missionary, went to Mexico in the early seventies. Some 20 years later he wrote a book in which he repeated many of the old calumnies. In closing his work he caps his mendacity by telling of the alleged discovery in Puebla of 13 mummified bodies of victims of the inquisition that had been buried alive. Mr. Butler himself claimed to have been present at the discovery of the thirteenth body. To prove his assertions, he published a photograph of four of the alleged victims. This picture has been his undoing, for the mummies shown in it are easily identified as those of some Dominican friars whose remains, to the number of 13, were discovered in 1861 in the burial vaults of their convent in Mexico City. They had died, like good Christians, in their beds.

In its entirety Mr. Butler's statement is absolutely and utterly false. How close a scrutiny the balance of Mr. Butler's book might stand may be left to the imagination. Nevertheless, Butler and his ilk have helped largely in the molding of American opinion about Mexico and the Mexican people.

In treating of events of the Juarez revolution, the historian Bancroft mentions Ampudia, one of the generals of Juarez, as though he were a civilized human being, and he dismisses the killing of the priest of Zacapoaxtla with a couple of lines. The priest in question was seized in his home and badly beaten. Covered with blood and bruises he was dragged before Ampudia, who demanded that he take the oath to the constitution recently adopted by a triumphant military faction. Because he refused to do this, Ampudia caused his ears to be cut off, his eyes to be plucked out, his tongue to be torn out, and unmentionable mutilation done besides. He was then dragged to the courtyard where he was shot and his body cut into quarters. The Juarez revolution differed only in detail from the Carranza revolution. Its general character was the same. The outrages committed and the animus inspiring them were the same.

Mr. KEARFUL. Was there any reason to believe that some of the first Spaniards rendered untrue reports in regard to conditions?

Mr. BYAM. There is every reason to believe it.

Mr. KEARFUL. Is that generally accepted by the later historians who have investigated the subject carefully?

Mr. BYAM. Yes, sir; it is accepted among them to-day.

Mr. KEARFUL. Are the works of those historians open to anybody who cares to investigate the subject?

Mr. BYAM. They are.

Mr. KEARFUL. They would be open to Mr. Lind, if he should go into the library and ask for them, would they?

Mr. BYAM. They would.

Mr. KEARFUL. Mr. Lind's attention was called to a very glowing description given by Mr. Bryan of a certain plantation in the State of Oaxaca, devoted to the cultivation of rubber, which Mr. Byam described as one of the American centers of civilization in Mexico, and Mr. Lind tried to avoid the effect of that by saying that the rubber enterprise in Mexico had resulted in failure and substantially was of no benefit to Mexico. What can you say about the rubber industry in Mexico?

Mr. BYAM. Mr. Lind's statement that the rubber plantations were failures was incomplete. He failed to state why they were failures. The greater part of the rubber planting done in Mexico was done at a time which brought the trees into bearing at about the time of the outbreak of the revolution. The consequence has been that these rubber plantations, which might have been shipping a large quantity of rubber during the past seven years, have been unable to market their stuff because of the disturbed conditions.

Mr. KEARFUL. According to the testimony of a number of witnesses such plantations have been destroyed, the owners or managers having been driven out of the country. Would that have any effect upon the successful outcome of the rubber industry?

Mr. BYAM. Most decidedly. There are a number of rubber plantations in the northern part of Chiapas which have been abandoned, their equipment has been destroyed, their buildings burned or suffered to fall into decay, the planted area grown up in weeds, and the plantations generally have returned to the primitive forest which existed prior to the commencement of operations by Americans in that neighborhood.

Mr. KEARFUL. Whatever may be the truth about the success or failure of rubber enterprises in Mexico, what has been their effect upon the Mexican natives of the attempt to establish rubber plantations?

Mr. BYAM. To better their material welfare.

Mr. KEARFUL. Has it given them work and secured money for them and benefited them in that way?

Mr. BYAM. It has, most decidedly. In the district where I was for a time, a large number of the farmers in the neighborhood found employment on these plantations from time to time, either as individual laborers or as small contractors. As small contractors, they would contract to clear and plant a few acres, and would hire some of their less prosperous neighbors to assist them, and they would utilize some of the labor from their own farms.

Mr. KEARFUL. Have you any observations to make upon the effect upon the cost of living in the United States by reason of the destruction of Mexican cattle ranches and plantations in Mexico?

Mr. BYAM. I believe that that has had a very decided effect in increasing the cost of living. We pay more for our beef because the great herds of northern Mexico have been destroyed. We are paying more for our sugar because the sugar plantations in Mexico have been destroyed. Because of the disturbed conditions there we pay more for our chocolate, more for our vanilla, more for our bananas.

Mr. KEARFUL. How about coffee and tobacco?

Mr. BYAM. The same may be said with equal justice for coffee and tobacco.

Mr. KEARFUL. Have you any theory which you could give for the benefit of the country, based upon your observation and experience and study, about the cause for the revolution in Mexico?

Mr. BYAM. From my study and observation the fundamental cause is antireligious agitation. We find the beginning of it in the French Revolution. It spread to Mexico, through Spain. The first Mexican revolution, or so-called war for independence, was really a civil war. Spain sent relatively few troops to Mexico. The most of her efforts were directed toward preserving the Spanish colonies in South America. The cause of the Spanish Crown was sustained in Mexico by the Creoles; that is, the Mexican-born descendants of the Spanish conquerors. There was no objection by them to independence of itself. What they fought for was to sustain a government of law and order. They fought the revolution because the revolution of that day sought to destroy wealth, and, in fact, it was what we would call to-day a bolshevik revolution. When the time came, independence was secured by the very elements that had fought to sustain the Spanish Government.

We find that the agitators of to-day are compelled to justify their efforts, and to do it they assume to attack the Spaniards as a class or as a race, and they endeavor to show the Spanish Government or the ecclesiastical authorities had oppressed the people.

The extreme radicals gradually gained control until the complete triumph came to Jaurez with the constitution of 1857. They endeavored, and successfully, to secure the moral and material aid of the American people. The American people misunderstood the

movement and the object of it. If it had been known by its true name, and if the true purpose had been understood, the American people would have refused their aid or sympathy.

The Mexican revolutionists have called themselves "liberals," when in point of fact they were socialists, and we know to-day that socialism does not differ greatly from bolshevism. Socialism is the theory, bolshevism the fact. The Mexican revolutionists have claimed that they sought to establish religious liberty, when in point of fact they have sought to establish an atheistic tyranny.

Mr. KEARFUL. In your study of Mexican history, and in arriving at the conclusions that you have stated, are you influenced in any way by your individual religious convictions or sentiments?

Mr. BYAM. Not in the least.

Mr. KEARFUL. As a matter of fact, are you a member of the Catholic Church?

Mr. BYAM. I am not.

Mr. KEARFUL. Have you ever been?

Mr. BYAM. I never have been, nor any of my ancestors for 10 generations.

Mr. KEARFUL. You say that you believe that the fundamental cause of the revolution is anticlericalism, antireligion?

Mr. BYAM. Antireligion.

Mr. KEARFUL. How do you account for that, in view of the fact that the Mexican people, almost as a whole, are members of the Catholic Church?

Mr. BYAM. I account for that from the fact that the revolutionary activities in Mexico have always been confined to a very small percentage of the population. It had its root in the revolution begun by Hidalgo. Hidalgo's personal history is a partial explanation of what he sought to accomplish. According to his own confession, he misled his people, misled his following, and his following consisted very largely of ignorant Indians. His career was short, and was marked by extreme excesses, assassinations, destruction. According to his own confessions he personally gave the order for or permitted the execution of some 700 unarmed civilians whom he had captured in different places.

The activities of Hidalgo and his successors created a spirit of lawlessness among certain classes of Mexicans and encouraged still others to defy the government. About the time that independence was secured many thousands had become scattered, and were living as vagabonds or pillagers, and it has been the perpetuation of that element which has furnished the forces for every revolutionary movement in the Republic of Mexico to the present day.

Mr. KEARFUL. If the influence of the Catholic Church in Mexico has been good, why was it necessary, in order to maintain the Government of Mexico, to assail the Catholic Church?

Mr. BYAM. Because the church stood for law and order. By referring to the pastoral letters issued by the Mexican bishops during the past 100 years we find a constant and repeated admonition to keep the peace, to avoid disorder or violence, to obey the law. The result of that has been that the great majority of the Mexican people, who are Catholics, and who obey their pastors, have not resorted to violence or force to defend themselves against the attacks made upon them by the minority.

Mr. KEARFUL. You believe, then, that the revolutionary movements and governments founded upon such movements in Mexico have proceeded upon principles that were destructive of law and order?

Mr. BYAM. Entirely so; entirely so.

Mr. KEARFUL. How do you account for the reign of law and order under Porfirio Diaz?

Mr. BYAM. Porfirio Diaz was, to a certain extent, an exception. He found his country in its normal state of disorder and exhausted, but throughout his rule he was ever on the alert against threatened revolt; and Porfirio Diaz had one defense which the others did not have and which was worth more to him than all his armies, and that was the threat of intervention.

Mr. KEARFUL. Do you think that another element that contributed to his success was that he favored the activities, especially the educational activities, of the Catholic Church?

Mr. BYAM. He did, to a certain extent, but only to a limited extent. In place of repealing the antireligious laws, the antiproperty laws, he preferred to encourage the violation of those laws, and from time to time exerted such pressure or influence in enacting such inimical legislation as would remind the Catholic people of Mexico that he and his government were opposed to their principles and their desires.

Mr. KEARFUL. Is it your idea that he took the course of permitting the church to operate contrary to the law, instead of repealing the law itself, so that he might be able to use the law as a means with which to curb the activities of any Catholics who might form a party against him?

Mr. BYAM. That would be the result, and the result would indicate the intent.

Mr. KEARFUL. Have you any opinion that you care to express in regard to what this country ought to do, if anything, to prevent a recurrence of recent outrages in Mexico?

Mr. BYAM. There is only one obvious remedy, considering present conditions. I do not want to be understood as advocating intervention or the exercise of force, but when we consider accomplished facts, when we consider the actual conditions existing in Mexico, there appears to be but one certain remedy. From my knowledge of Mexico and my acquaintance with the Mexicans I am satisfied that if the majority element be given an opportunity it can and will establish a satisfactory form of government, a government that will discharge its international obligations as all civilized governments do. But to do that they must have protection: to do that they must have back of them some force which will prevent their overthrow by some capricious military adventurer.

Mr. KEARFUL. You mean some military adventurer, followed by the predatory element that has existed since the time of the Hidalgo revolution, as you have described it?

Mr. BYAM. Exactly, the vagabond element, the criminal element, the restless element, that exists in every community in the world, which has been attracted for 100 years in Mexico to follow any military adventurer that would promise pillage. The history of Mexico is filled with incidents of that kind.

Mr. KEARFUL. Do you think the reason the Carranza revolutionists have been able to proceed is largely because of the opportunity to pillage that was offered the followers of the revolution?

Mr. BYAM. Precisely.

Mr. KEARFUL. Do you think the government Carranza has formed upon that revolutionary movement has been based upon the opportunity for graft and private gain of the officials of the Government?

Mr. BYAM. I believe it is entirely so.

Mr. KEARFUL. And you think it is precisely that element that must be curbed, and against which it is necessary to give the better element protection, in order that the better element, the large-majority element, may have an opportunity to establish a civilized Government in Mexico?

Mr. BYAM. Exactly so.

Mr. KEARFUL. Do you believe that the great majority of the people possess the potentialities of good citizens if they are given a fair chance?

Mr. BYAM. I certainly do. They are law-abiding, they are industrious, they are thrifty, and they do not resort to violence.

Mr. KEARFUL. Do you believe such efforts would be well expended and would progress in the direction of good government?

Mr. BYAM. I believe they would.

Mr. KEARFUL. I have reached the end of the questions I had in mind to ask. Is there anything further you care to state?

Mr. BYAM. Mr. Lind stated that the church was opposed to public schools. The opposition of the church in Mexico to the Government schools was not to the Government schools as such; that is, as Government institutions. The opposition was, first, to the Government prohibition against church schools, and, second, opposition to the atheistic teachings of the Government schools.

Mr. KEARFUL. Mr. Lind compared the sentiment in that respect to the sentiment of the church in this country in opposition to public schools. Is there any such sentiment that you have observed in this country that is comparable to what you have just stated in reference to Mexico?

Mr. BYAM. My observation of the position of the Catholic Church toward public schools in this country has been that the Catholic Church is not opposed to public schools per se—the Catholic Church wants its own schools.

Mr. KEARFUL. The same condition that exists in Mexico, whereby the Government of Mexico does not permit the Catholic Church to have its own schools, does not exist in this country, does it? In this country the Catholic Church is permitted to have all the schools it can establish: is not that correct?

Mr. BYAM. That is quite correct.

Mr. KEARFUL. So, therefore, the same condition that exists here does not at all compare with the conditions in Mexico?

Mr. BYAM. Not at all.

Mr. KEARFUL. That is the point I desired to make.

Mr. BYAM. The Catholic Church in Mexico would be very glad if it were permitted the same liberties that it enjoys in this country.

Mr. KEARFUL. Mr. Lind referred to the Catholic Party in Mexico, in connection with his idea about the sentiment of the people toward the church, and that they had their opportunity through the Catholic

Party to assert their rights. What do you know about the so-called Catholic Party in Mexico as a political party?

Mr. BYAM. The Catholic Party as a political party was organized at the time of the triumph of Madero, and by his encouragement. It was organized by Mexican citizens who were Catholics. The church authorities had no official connection with it whatever. The name "Catholic Party" was chosen to avoid any charge by their enemies that they were attempting or endeavoring to conceal their purposes, had another name been chosen. The Catholic Party in Mexico was organized for the express and announced purpose of securing, by constitutional and lawful means, the repeal of the anti-religious laws in Mexico. The Catholic Party nominated Madero as its candidate for president. As its candidate for vice president, however, it nominated De la Barra. I have not at hand any official figures, but speaking from memory, De la Barra secured some 60 per cent of the votes of Mexico. He was not, however, permitted to assume the office. That office was given arbitrarily to Pino Suarez, who had divided some 15 per cent of the vote with a number of lesser candidates.

Mr. KEARFUL. What knowledge have you in regard to the ability of the Mexican people to hold fair and free elections, if they were permitted to do so by the central government?

Mr. BYAM. I would say that they are entirely competent to do so. In the State of Jalisco, in the election of January, 1912, 74 per cent of the voting districts of the State reported a total of over 92,000 votes. Over 64 per cent of the votes cast were cast for the Catholic Party candidates. The significance of these figures will be more apparent when it is remembered that the opposition counted the votes.

Mr. KEARFUL. How do you account for such a result, in view of the reports and testimony we have had in regard to the unjust and unfair elections that have prevailed in Mexico?

Mr. BYAM. I think that is due largely to the fact that the subject has not been given the study it merited. During the rule of Porfirio Diaz it was commonly understood that elections were a polite fiction, but considering the prevailing security of life and property, the people generally did not concern themselves with the niceties of democratic elections. The majority of the people were not favorable to the policies of Diaz, but so long as he gave them law and order they were submissive.

Mr. KEARFUL. This election in Jalisco that you have mentioned; was that held under the supervision of the Federal authorities, or was it purely a State election?

Mr. BYAM. That was purely a State election; that occurred during the rule of Madero, but Madero's political organization had not been sufficiently perfected to control all the elections in the manner that Diaz had managed affairs.

Mr. KEARFUL. It is one thing for a candidate to be elected and another thing for him to take office, as you have illustrated in the case of De la Barra.

Mr. BYAM. Exactly.

Mr. KEARFUL. So what is the use of fair elections in one or more States, if the result of it is not to be carried out?

Mr. BYAM. It is utterly hopeless, unless there is back of it some force that will compel a just and orderly observance of the will of the people as expressed at the polls. That particular election in the

State of Jalisco is significant from the fact that the opposition had not developed force to attack the result of that election. Therefore, the governor and legislature elected were enabled to take their seats, to assume office, to exercise all the functions of government, to pass laws, which laws were enforced, but, of course, only for a short time, because there came the revolution which eliminated Madero, and following upon the heels of that the Carranza revolution. Nevertheless, during the rule of Huerta, that element in Jalisco remained in power. Huerta did not disturb them in the State government, though he did change governors. They continued in power until the revolution of the Carranza forces. The governor was driven out and the legislature dispersed, the laws annulled, and a military dictator appointed by Carranza established in their place.

Mr. KEARFUL. If there is nothing further, you will be excused. The committee is very much obliged to you.

(Whereupon, at 4.30 o'clock p. m., the committee adjourned, to meet again on Monday, May 3, 1920, at 10 o'clock a. m.)

INVESTIGATION OF MEXICAN AFFAIRS.

MONDAY, MAY 3, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., May 3, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF NELSON O'SHAUGHNESSY.

(The witness was duly sworn by Mr. Kearful.)

MR. KEARFUL. You may state your name.

MR. O'SHAUGHNESSY. Nelson O'Shaughnessy.

MR. KEARFUL. What is your present address?

MR. O'SHAUGHNESSY. University Club, New York.

MR. KEARFUL. Are you a native-born American citizen?

MR. O'SHAUGHNESSY. I was born in New York City on the 12th of February, 1876.

MR. KEARFUL. What connection have you had with the Diplomatic Service of the United States?

MR. O'SHAUGHNESSY. I entered the service on the 17th of March, 1904. Then I was successively secretary of different grades in the Diplomatic Service at Copenhagen, Berlin, St. Petersburg, Vienna, Bucharest, and Mexico City.

MR. KEARFUL. When did you go to Mexico, and how long did you remain there?

MR. O'SHAUGHNESSY. I went to Mexico in 1911, arriving there the 4th of May, 1911, and I left Mexico City on the 23d of April, 1914.

MR. KEARFUL. Shortly after the landing of the American troops at Vera Cruz?

MR. O'SHAUGHNESSY. Yes, sir.

MR. KEARFUL. What was your position in the Diplomatic Service in Mexico?

MR. O'SHAUGHNESSY. I was first second secretary of the embassy, and then I was promoted to first secretary, and when the ambassador left I became *chargé d'affaires*.

MR. KEARFUL. Were you there during the time of Porfirio Diaz?

MR. O'SHAUGHNESSY. Just toward the end for a few weeks.

MR. KEARFUL. You were there throughout the rule of Madero, were you not?

MR. O'SHAUGHNESSY. I was there throughout the rule of Madero; yes, sir.

Mr. KEARFUL. Did you come in contact with Madero considerably?

Mr. O'SHAUGHNESSY. Yes; I came in contact with Madero very often; saw a great deal of him.

Mr. KEARFUL. What character of man was Madero, with reference to his mental capacity?

Mr. O'SHAUGHNESSY. Madero was a dreamer. I think that is the best description of Madero. He was a very unpractical person.

Mr. KEARFUL. What was his attitude toward Americans, especially with reference to official representations made to him with respect to American rights?

Mr. O'SHAUGHNESSY. Madero was a great procrastinator. I think that he accepted in theory the demands of the American Government as just, but he continually put off a solution of anything. I remember when the question of these claims for the people killed during his revolution on the border came up, I suggested to him that these were very small claims, but they are very irritating to the American people, and some day you will get congressional action from the United States on these claims which will embarrass you still further. Why do you not pay them? Find out what will satisfy these people and settle them up, and I think it will save you much further embarrassment." He said that was a very good idea, but he never took any action until about a year afterward. Then Señor Pedro Lascurain took it up with Señor Calero, Mexican ambassador at Washington. I think Madero was willing to act promptly, but he did not have a well-organized government with him. You know he was sort of playing a lone hand; I mean he was not well supported. You remember how very irritating those claims were, for people who were shot on this side of the line during the Madero revolution, at Douglas and El Paso.

Mr. KEARFUL. What were Madero's ideas with respect to the Mexican Government? You say they were impracticable, and he practically stood alone.

Mr. O'SHAUGHNESSY. What were his ideas?

Mr. KEARFUL. Yes.

Mr. O'SHAUGHNESSY. Well, he wanted a division of a good many of the large estates, and he wanted to do it in a summary manner. At least, that was what he wanted to do in the beginning. Of course, there was a national organized opposition to such action.

Mr. KEARFUL. Was anything done during his rule to carry out that plan?

Mr. O'SHAUGHNESSY. I think, if my memory serves me right, that they passed a law in Congress appropriating large sums of money to buy certain lands, and distribute it among the peons, but I do not think that it was ever consummated. So far as the public domain went, those were very often the lands the peons did not want. The peon wanted the lands he was living on. The Mexican Indian is generally very fond of the land.

Mr. KEARFUL. They wanted the cultivated or improved land?

Mr. O'SHAUGHNESSY. Yes; but I think the whole Mexican land situation has been very much exaggerated.

Mr. KEARFUL. Is it a fact that much more was heard about it in this country than in Mexico?

Mr. O'SHAUGHNESSY. Yes; much more.

Mr. KEARFUL. What influence was exerted during the Madero rule by Gustavo Madero, the brother of the President?

Mr. O'SHAUGHNESSY. I think Gustavo practically ran the Government. I know the entire patronage of the Mexican Government was in his hands.

Mr. KEARFUL. Was his method of running the Government in accordance with the ideas of the President?

Mr. O'SHAUGHNESSY. No; I do not think they were. Madero, as he went on, became less theoretical and more practical. He was a much more practical politician toward the end than he was at the beginning, which, I suppose, was natural.

Mr. KEARFUL. How did the rule of Madero toward the end approximate the rule of Porfirio Diaz as to autocratic measures?

Mr. O'SHAUGHNESSY. It became very much the same toward the end.

Mr. KEARFUL. What was the reason for that?

Mr. O'SHAUGHNESSY. Because it is the only way you can rule the country.

Mr. KEARFUL. Were you in Mexico at the time of the overthrow of Madero?

Mr. O'SHAUGHNESSY. No; I was not. I was on leave then. I was appointed first secretary on the 12th of December, 1913, and I arrived back in Mexico on March 3, 1914.

Mr. KEARFUL. That was after Huerta had assumed the presidency?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. What opportunity did you have to become acquainted with Gen. Huerta?

Mr. O'SHAUGHNESSY. Well, after I arrived in Mexico and Senor de la Barra became president ad interim I met Gen. Huerta just as he was going out to Morelos on the first Zapata campaign.

Mr. KEARFUL. That was in 1911, was it not?

Mr. O'SHAUGHNESSY. Yes. Then I met him when he came back, had lunch with him several times. Then I saw him just before he went off on the Orozco campaign. That was in 1912, and our military attachés went with him in that campaign. So then when I went back to Mexico I knew Huerta well. I mean as one can know an official in a foreign Government.

Mr. KEARFUL. What opportunities did you have to become further acquainted with him after he assumed the presidency?

Mr. O'SHAUGHNESSY. Well, I found that the only way that I could get any results out of the Government was to get them through Huerta, so I was thrown in contact with him very often. In fact, upon one occasion I was instructed by Mr. Bryan to see the President and make a certain request.

Mr. KEARFUL. When you returned to Mexico as first secretary had Henry Lane Wilson, the ambassador, left?

Mr. O'SHAUGHNESSY. No. I returned on the 3d of March, and I think he went some time in April. I can not remember the date.

Mr. KEARFUL. That was in 1913?

Mr. O'SHAUGHNESSY. That was in 1913.

Mr. KEARFUL. What character of man was Gen. Huerta?

Mr. O'SHAUGHNESSY. Well, Huerta was a strong character. He had always been very much feared by Diaz. Diaz considered him

the strongest man in the Mexican Army. You know the old Diaz fear of a successful general. Huerta always kept his word with me. He liked Americans. In fact, of all the Mexican public men I knew I never saw one who really was so friendly toward Americans. I do not say toward the policies of our Government, but I mean toward Americans. He liked Americans. He realized that the progress of Mexico depended upon the amity of the United States.

Mr. KEARFUL. What was his attitude toward Americans with respect to affording them protection for property and other interests?

Mr. O'SHAUGHNESSY. I never requested protection from Huerta that he did not give it, if it was physically possible. Of course when the American Government requested protection for people who were in rebel territory he could not give it, but anywhere within the territory in his control he always extended protection.

Mr. KEARFUL. What was his attitude toward Americans after the taking of Vera Cruz?

Mr. O'SHAUGHNESSY. Well, I went to see him the morning that it was taken, and I spoke to him of the danger of an outbreak in Mexico City, and he said: "I shall see that that does not occur. I will have the evening papers censored and have the streets patrolled," which he did, and which I think shows a very broad spirit on his part, because the whole action was taken against him personally.

Mr. KEARFUL. What was the condition in Mexico City upon the taking of Vera Cruz with respect to actions of the mob?

Mr. O'SHAUGHNESSY. Well, they paraded about, sang patriotic songs, pulled down the statue of George Washington, and there were a few street fights, and they serenaded the embassy, but I went around the streets on all the days I remained there after the taking of Vera Cruz; went out every day.

Mr. KEARFUL. Did you know of any American being killed or assaulted?

Mr. O'SHAUGHNESSY. No, sir.

Mr. KEARFUL. Do you think that protection was due to the action taken by Huerta?

Mr. O'SHAUGHNESSY. Yes; I do. If Huerta had not issued the instructions that he did, there would have been very serious quarrels and riots. Of that I am convinced.

Mr. KEARFUL. Did you know John Lind?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. Were you at the embassy when he was sent to Mexico to deal with Gen. Huerta?

Mr. O'SHAUGHNESSY. Yes; I was in charge of the embassy.

Mr. KEARFUL. Can you state briefly what you understood his mission to Mexico to be?

Mr. O'SHAUGHNESSY. I understood that his mission in Mexico was to force the resignation of Huerta, to eliminate Huerta from Mexican politics.

Mr. KEARFUL. What was his mission further with respect to Huerta's successor?

Mr. O'SHAUGHNESSY. Well, Mr. Kearful, I really do not know that. I know that Mr. Lind was firmly convinced, at least, he gave me every reason to believe he was, that the only solution would be the triumph of the revolution under Carranza. Yes; Gov. Lind was a strong Carrancista.

Mr. KEARFUL. Were you present at an interview between John Lind and Mr. Gamboa, Huerta's foreign minister, when Mr. Lind presented his demands and instructions from President Wilson?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. What was the nature of Lind's attitude in his demands, with reference to their being peremptory or otherwise?

Mr. O'SHAUGHNESSY. Mr. Lind had a document signed by the Chief Executive of the United States, which he presented.

Mr. KEARFUL. Did he have anything to say in addition to presenting the document?

Mr. O'SHAUGHNESSY. Lind saw Gamboa on several occasions. I think I was present twice, and the other times I was not present.

Mr. KEARFUL. Do you remember whether Mr. Lind made any threat as to what would occur in case the demands made by him were not complied with?

Mr. O'SHAUGHNESSY. Yes. Mr. Lind gave the Mexican Government to understand that, after exhausting the various remedies which the American Government thought proper, they would use force. A

Mr. KEARFUL. Shortly stated; did you understand him to say to Mr. Gamboa that if these demands were not complied with the United States would intervene by force?

Mr. O'SHAUGHNESSY. That was my understanding.

Mr. KEARFUL. When Mr. Lind arrived in Mexico, did he have any knowledge of Mexican conditions?

Mr. O'SHAUGHNESSY. I do not think he did.

Mr. KEARFUL. Did he know any Spanish?

Mr. O'SHAUGHNESSY. No. At least not to my knowledge.

Mr. KEARFUL. Did he undertake to inform himself upon any subject before he presented his demands to the Mexican Government?

Mr. O'SHAUGHNESSY. Well, Mr. Lind did his work, drew up his papers and documents, without any aid from me whatsoever, and I do not know what he studied or what he did.

Mr. KEARFUL. He presented his demands within a very short time after his arrival, did he?

Mr. O'SHAUGHNESSY. In a very short time; yes.

Mr. KEARFUL. Within a day or two?

Mr. O'SHAUGHNESSY. Yes. Within a day or two. The first interview, I think, was the second day after he arrived.

Mr. KEARFUL. Did you ever have any conversations with Mr. Lind in which he expressed his views in regard to what the trouble was in Mexico?

Mr. O'SHAUGHNESSY. Yes; I had a good many conversations with Mr. Lind along those lines.

Mr. KEARFUL. What did he say on that subject?

Mr. O'SHAUGHNESSY. Well, he was very bitter against the large English interests there, the large English oil interests, and he attributed Mexico's ills very largely to the religious situation and to the oil companies, especially Lord Cowdray.

Mr. KEARFUL. He thought the ills of Mexico were largely due to the influence of the Catholic Church?

Mr. O'SHAUGHNESSY. Yes; he stated that to me.

Mr. KEARFUL. Did he give any expression of his sentiments as to what should be done to remedy that condition?

Mr. O'SHAUGHNESSY. No; he did not.

Mr. KEARFUL. Did you have any conversation with him with reference to the persecution of the church and the killing of priests by the Carranza revolutionists?

Mr. O'SHAUGHNESSY. Well, I told him that I thought it was a very great mistake for the Government of the United States to ally itself with people who did those kinds of things, but I think he considered such acts were incident to a revolution.

Mr. KEARFUL. Do you remember, after he had failed in his dealings with the Huerta Government, that he went to Vera Cruz, and while he was there he made a trip to Pass Christian to see President Wilson?

Mr. O'SHAUGHNESSY. I do.

Mr. KEARFUL. Did you have any conversation with him after that, in which he expressed to you the sentiments of himself and President Wilson with respect to the killing of priests by the Carranza army?

Mr. O'SHAUGHNESSY. Yes; I did. He did not say those were the President's sentiments.

Mr. KEARFUL. What did he say? What was the conversation, and where did it occur?

Mr. O'SHAUGHNESSY. That occurred in Mexico City, after he came up the second time. You remember he came up, I think it was in November. He came up there for a few days, and returned to Vera Cruz.

Mr. KEARFUL. What was the conversation?

Mr. O'SHAUGHNESSY. Well, I do not remember the conversation very much in detail. Mr. Lind at that time was very prejudiced and very much under the influence of the extreme radicals in Mexico. He seemed at times overwrought and nervous.

Mr. KEARFUL. Can you state the substance of what he said on the subject mentioned?

Mr. O'SHAUGHNESSY. I had so many conversations with Mr. Lind, I saw him so often, as he lived in the embassy, that I can not remember in an exact manner exactly what he said.

Mr. KEARFUL. Were you present with him when something was mentioned about the persecution of priests by the Carrancistas?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. What, if any, remarks did he make expressing his sentiments in regard to it?

Mr. O'SHAUGHNESSY. Well, I considered that it was pleasing to him.

Mr. KEARFUL. Did you judge that from what he said?

Mr. O'SHAUGHNESSY. I judged that from what he said; yes.

Mr. KEARFUL. Did you get any impression from what he said as to whether President Wilson agreed with that sentiment on his part?

Mr. O'SHAUGHNESSY. No; that I did not. I can not go that far.

Mr. KEARFUL. Did he say anything that gave you to understand that he was not shocked by the fact that the Carrancistas had killed priests in the interior.

Mr. O'SHAUGHNESSY. No; I do not think it shocked him. The Carranza people evidently thought that these atrocities were not displeasing to the American Government, and I do not think at that time that this Government made any protest to its accredited representatives with the revolutionists.

Mr. KEARFUL. Did you know of any expressions on the part of Members of the Cabinet or President Wilson excusing the excesses of the Carrancistas against the church?

Mr. O'SHAUGHNESSY. Yes. Secretary Baker, in the autumn of 1916, when these atrocities were mentioned in the campaign, made a statement that even our soldiers in the Revolution against England committed analogous acts, which, of course, is not borne out by history.

Mr. KEARFUL. Did he take the position that the Carranza revolution was on a par with our revolutionary movement?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. Did you come in contact with a great many Americans who were living and operating in Mexico while you were there?

Mr. O'SHAUGHNESSY. Yes. A great many of them.

Mr. KEARFUL. What character of people were they?

Mr. O'SHAUGHNESSY. Well, miners, lawyers, doctors, people in trades, oil operators. I think generally they were very representative and a very good element, and did more to make Mexico a modern country than any other foreigners.

Mr. KEARFUL. How did they compare with their fellow citizens in this country engaged in similar pursuits?

Mr. O'SHAUGHNESSY. I think they compared very favorably.

Mr. KEARFUL. Do you know whether they demanded or received any special privileges which gave them advantages over Mexicans or other foreigners operating in Mexico?

Mr. O'SHAUGHNESSY. I never knew of any. All the privileges were granted under general laws.

Mr. KEARFUL. Which were open to anybody who desired to take advantage of them?

Mr. O'SHAUGHNESSY. Which were open to anybody who desired to take advantage of them. The Government merely had to be petitioned and the necessary form gone through and they were open to the world.

Mr. KEARFUL. Were the Americans there generally a class of law-abiding people?

Mr. O'SHAUGHNESSY. Yes. While I was there there were exceedingly few cases where an American citizen was arraigned for any disorderly conduct or any breaking of the regulations of the Mexican Government.

Mr. KEARFUL. From your knowledge and experience in Mexico, what is your opinion with respect to the policy pursued by this Government toward Huerta?

Mr. O'SHAUGHNESSY. I think it was fundamentally wrong. Until the 4th of March, 1913, I was taught that the paramount interest of the country is the protection of the lives and property of its citizens, not the reforming of foreign governments or siding with the revolutionary movements against a foreign government, which have nothing to do with the interest of its citizens or their property; but the present administration does not seem to think so. By the recognition of the Huerta government we would have continued in Mexico an organized government which we could have dealt with and which would have lived up to its international agreement with the United States, for the Huerta government was exceedingly anxious to have the good will of the United States, and Gen. Huerta realized that without the

good will of the United States no Mexican government can exist, as has been amply proven by the history of Mexico during the last six years.

Mr. KEARFUL. Did you ever know of any other incident in the diplomatic history of the United States in which this Government undertook to eliminate the de facto head of a foreign government and to say what sort of a government the people should have?

Mr. O'SHAUGHNESSY. No. Of course, this Government did take action against Maximilian, which was perfectly natural, as the establishment of Maximilian's government there would have been very repugnant to our ideas and would have been an infraction of the Monroe doctrine. It was a case of self-protection.

Mr. KEARFUL. That was the establishment of a government in Mexico by European powers, was it not?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. But with respect to the establishment of a government by the people themselves?

Mr. O'SHAUGHNESSY. Never. But we seem to be in an era of meddling.

Mr. KEARFUL. What have you observed to be the results of the policy that were produced with respect to the eliminating Huerta and the substitution of a government of our own choice?

Mr. O'SHAUGHNESSY. Well, the present chaotic state of Mexico. That is the best answer to that, I think.

Mr. KEARFUL. Did Gen. Huerta ever give expression in conversations with you to his estimate of what the revolutionists would do if they should come into power by the aid of the United States?

Mr. O'SHAUGHNESSY. Yes. He said that by his overthrow organized government would cease to exist in Mexico, and that the revolutionary party would never be able, in his opinion, to bring about organized and orderly government. I telegraphed the Department of State once a statement that Huerta made along those lines. I can not remember the exact wording of it. I likewise informed the Department of State fully as to the anti-Americanism and dislike of the United States of Carranza.

Mr. KEARFUL. The anti-American attitude of Carranza?

Mr. O'SHAUGHNESSY. Yes. I mean his dislike of the United States.

Mr. KEARFUL. Do you remember in one of Huerta's conversations with you, of which you made a memorandum, he stated something like the following: "The present task in Mexico is not one of establishing democracy, but of establishing order. Before peace can be established in Mexico there must be a general reconstruction of the system of government, as opposed to that established by Porfirio Diaz, whose government, however, was a necessity of the times and circumstances. I do not criticize the rebels of the north thoughts, but they will never, in the event of their triumph, be able to establish a government in Mexico, and one of their first acts, if they ever do triumph, will be to turn upon the United States, whom they are now praising"?

Mr. O'SHAUGHNESSY. I remember that perfectly; yes.

Mr. KEARFUL. Do you know whether the rebels, after they triumphed, did turn upon the United States?

Mr. O'SHAUGHNESSY. I think that it is a known fact that they did. They did not join with this country in the war, but did what they

could to give comfort to its enemies. They passed laws which have embarrassed foreigners, and, of course, Americans, in the carrying out of their business. They have certainly shown no friendship toward the United States in any way. More Americans have been murdered in the last six years than ever before. I think that is a fact, is it not? None of the outstanding questions have been settled.

Mr. KEARFUL. The records show that. Did you ever have any reason to believe that our ambassador to Mexico, Mr. Henry Lane Wilson, was concerned in the effort to overthrow Madero, or had any knowledge of the assassination of Madero until afterwards?

Mr. O'SHAUGHNESSY. I am convinced that Mr. Wilson had no fore knowledge and nothing to do with it in any way whatsoever, and I never found any evidence of such knowledge during my time in Mexico. Mr. Wilson simply did what was the best to do at the time, and he should have received the thanks of the administration instead of the treatment which he did receive.

Mr. KEARFUL. Do you know what the feeling was among the Americans in Mexico as to the work that was done by Henry Lane Wilson?

Mr. O'SHAUGHNESSY. The feelings of Americans in Mexico, without exception, was one of satisfaction and commendation.

Mr. KEARFUL. Have you any opinion that you care to express as to what this country ought to do, if anything, to protect Americans in Mexico or prevent the recurrence of the outrages that have been perpetrated upon them?

Mr. O'SHAUGHNESSY. If this Government had held the present Mexican Government to its obligations, and not let the matter slide along and merely protest, it would have had much more effect. If they can kill Americans with impunity and only receive protests, of course, it does not deter them from doing it in the future.

Mr. KEARFUL. What is your opinion as to what ought to be done in the present state of affairs, if anything?

Mr. O'SHAUGHNESSY. Well, at the present moment I do not know very much about the relationship of this Government to the Mexican Government, nor do I know how far the Mexican Government is able to protect Americans. I do not believe that the present Mexican Government worries itself very much about the protection of Americans, if it could I doubt if it would do better.

Mr. KEARFUL. But you believe that American citizens who have gone to Mexico on the invitation of the Mexican Government, guaranteeing them the protection of its laws, are entitled to receive it, do you not?

Mr. O'SHAUGHNESSY. Certainly, I believe they are entitled to receive it, but if their own Government will not support them how can we expect the Mexican Government to take its obligations very seriously?

Mr. KEARFUL. What, in your opinion, ought to be done to remedy that situation?

Mr. O'SHAUGHNESSY. The Mexican Government should be told that they must live up to their international obligations or the United States will follow out that which may be best in its opinion to enforce those obligations.

Mr. KEARFUL. Would you stop at telling them that?

Mr. O'SHAUGHNESSY. No: I would not.

Mr. KEARFUL. Do you think that such a statement would be respected by them?

Mr. O'SHAUGHNESSY. If they believed that it meant action, it would be respected.

Mr. KEARFUL. After many demands which have not been followed up by action, what do you think would be necessary to make them believe that action would follow?

Mr. O'SHAUGHNESSY. A time limit: that certain things must be done within a certain time.

Mr. KEARFUL. If there is nothing done, what should follow?

Mr. O'SHAUGHNESSY. That would have to go to Congress.

Mr. KEARFUL. Would you be in favor of armed intervention by this country in Mexico, if the present attitude of the Mexican Government should be continued?

Mr. O'SHAUGHNESSY. Well, I would only be in favor of a temporary intervention as a very last resort, after the exhaustion of all other remedies.

Mr. KEARFUL. What course do you think that such intervention should take, other remedies being exhausted?

Mr. O'SHAUGHNESSY. Blockading of their ports, closing of the northern frontier, various coercive measures which could be brought to bear upon them. I think it is a very remote necessity, and I trust that we will get a Government in Mexico in the near future that will be prepared to live up to its obligations, and that we will be able to establish an era of good feeling between the two countries. I have never been an interventionist, and I like the Mexican people exceedingly, and I believe they have within their borders men who can govern the country properly.

Mr. KEARFUL. What do you think about the large number of Mexicans who are exiled from their country: as to whether they are of the type that can be relied on for the establishment of a Government?

Mr. O'SHAUGHNESSY. I think some of the best men in Mexico are exiled. The Mexican Government should grant a general and unconditional amnesty to all refugees.

Mr. KEARFUL. Do you believe it would be worth while to take coercive measures merely for the temporary purpose of compelling a compliance with demands?

Mr. O'SHAUGHNESSY. No; I do not.

Mr. KEARFUL. Do you think that any measures that might be taken should be toward the establishment of permanent peace?

Mr. O'SHAUGHNESSY. Toward the establishment of a permanent government, with which we could do serious business.

Mr. KEARFUL. What have you observed as to the influence of the Catholic Church in Mexico upon the natives, as to whether it has been good or bad?

Mr. O'SHAUGHNESSY. Well, the Catholic Church is the traditional church of Mexico and the majority of Mexicans, of course, are Roman Catholics. So far as the educational system of Mexico is concerned, that was taken out of the hands of the church in 1857 and taken over by the Government, and if the Mexicans are uneducated it is because the Government has not lived up to its promises.

Mr. KEARFUL. Has it been your observation that the principal educational work that has been done in Mexico has been done by the Catholic Church?

Mr. O'SHAUGHNESSY. Well, all the famous men in Mexico before 1857 were educated by the church, by the Catholic schools. There has never been real popular education in Mexico. There are many parts of Mexico where the school houses were built by the Government but no teachers provided. Huerta told me that the crying necessity of Mexico was teachers.

Mr. KEARFUL. In view of the fact that the great majority of the Mexican people are Roman Catholics, and the further fact, as I understand you, that the influence of the Catholic Church in Mexico has not been a bad thing for the people, how do you account for the persecution of the Catholics as an organization on the part of the Government of Mexico?

Mr. O'SHAUGHNESSY. Well, that is a traditional matter. That comes down from the days of the Wars of Reform, and from the time when the great Catholic organization owned the richest lands in the country. In Mexico that is traditional.

Mr. KEARFUL. Mr. Lind, in his testimony, referred to the Catholic party in Mexico as a political party, which, if its principles were supported by the people, might very well control the Government. What do you know about the Catholic party?

Mr. O'SHAUGHNESSY. The Partido Catolico was in a way the successor of the old conservative party in Mexico but I think it was very short lived.

Mr. KEARFUL. When was it established?

Mr. O'SHAUGHNESSY. I do not really know. I know that in the Madero elections of 1911 they played a certain part and worked for Madero, and I think took a certain part in several of the subsequent elections, but I never knew. I was never intimately connected with any of the leaders of it. I could not very well be connected with any political movement in the country.

Mr. KEARFUL. Do you know whether it was a party dominated by the church, or whether it was a party of citizens?

Mr. O'SHAUGHNESSY. I think it was a party of citizens who were opposed to religious persecution, which exists in many Latin countries where anticlericalism is active.

Mr. KEARFUL. What do you understand to be the basis for anticlericalism?

Mr. O'SHAUGHNESSY. I think anticlericalism has a traditional basis, and comes from the days of the clerical domination and participation in the civil affairs of the country. It is also anti-Christian, and not only anti-Catholic.

Mr. KEARFUL. It has been testified here that the basis of anticlericalism in Mexico is that the church teaches morality and stands for law and order and is opposed to revolutionary movements and revolutionary governments founded upon loot and graft.

Mr. O'SHAUGHNESSY. That is true. The Catholic authorities in Mexico have always stood for peace and order.

Mr. KEARFUL. What do you know about the methods of holding elections in Mexico? Did they ever come under your observation?

Mr. O'SHAUGHNESSY. Well, I know that very few people vote, and a good many people do not vote because they are afraid if they vote, and the party they vote against gets into power, they fear reprisals. The Indians fear that it will lead to their being taxed and conscripted for the army.

Mr. KEARFUL. In holding elections, every man must state publicly for whom he votes?

Mr. O'SHAUGHNESSY. They have not the secret ballot there, as far as I know. I never investigated their forms, but I do not think they have the secret ballot. The votes are in most cases not counted. I remember after the Madero election, when no other serious candidates were in the field excepting Madero, I went into the House of Deputies, where I saw in a room there stacks and stacks of ballots which had come in from various parts of Mexico and had never been opened or counted.

Mr. KEARFUL. After the result of the election had been declared?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. Did you observe the manner of holding elections that took place during the time of Huerta?

Mr. O'SHAUGHNESSY. Well, I know that an election did take place. I presume it was very much along the same lines as other elections in Mexico.

Mr. KEARFUL. You did not visit any of the polling places?

Mr. O'SHAUGHNESSY. No; but I believe it represented the will of the people as much as any other election.

Mr. KEARFUL. In other words, you think that the elections in Mexico generally do not represent the will of the people?

Mr. O'SHAUGHNESSY. Up to the present time they certainly do not.

Mr. KEARFUL. Do you think it is possible to hold an election in Mexico which would be free and fair as it is understood in this country?

Mr. O'SHAUGHNESSY. I think it would be possible, but I think it would be very difficult and improbable.

Mr. KEARFUL. Do you believe it would be possible for any candidate who might be opposed by the governmental authorities to take his seat as a result of the expression of the will of the people?

Mr. O'SHAUGHNESSY. No; I do not.

Mr. KEARFUL. Mr. Buckley, in his testimony before the committee, referring to the attitude of Mr. Lind, said:

In a conversation with Mr. O'Shaughnessy, on a remark of the latter that he had just received a report to the effect that several Catholic priests had been killed, Mr. Lind stated that this was good news, that the more Catholic priests they killed in Mexico the better it would suit him, and the more pleased the President would be.

When Mr. Lind was testifying he was asked whether he made any such statement to you, and he denied having made any such statement, most positively and emphatically, and further testified that he had never stated that he attributed the ills of Mexico to the Catholic Church, and denied that he ever entertained such sentiments. Is it true or not that Mr. Lind made any such statement to you in respect to the killing of Catholic priests?

Mr. O'SHAUGHNESSY. I regret very much to say that Mr. Lind did make that statement. I must add, however, that he did not, to my memory, bring in the name of the President of the United States. He did not say anything about the President.

Mr. KEARFUL. Did that conversation occur after his visit to the President at Pass Christian?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. Did you receive any impression from his conversation with you as to whether the President disagreed with him in regard to his sentiments?

Mr. O'SHAUGHNESSY. I have no impressions along those lines. The whole policy of the administration toward Mexico from March 4, 1913, to the present day, and especially the taking of the Port of Vera Cruz, by which we broke a treaty, is so preposterous and so damaging to our good international name that the sooner we forget about it I think the better. It was brutal, unwarranted, and stupid, and has harmed us greatly in Latin America.

Mr. KEARFUL. Are there any other matters you care to mention?

Mr. O'SHAUGHNESSY. Not that I can think of at the present moment.

Mr. KEARFUL. That is all I care to ask you.

(Whereupon, the committee adjourned subject to the call of the chairman.)

INVESTIGATION OF MEXICAN AFFAIRS.

WEDNESDAY, MAY 5, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., on May 5, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF G. W. BARTCH.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. You may state your full name.

Mr. BARTCH. G. W. Bartch.

Mr. KEARFUL. Where do you live?

Mr. BARTCH. Salt Lake City, Utah.

Mr. KEARFUL. What is your profession?

Mr. BARTCH. Lawyer.

Mr. KEARFUL. You have been summoned to give the committee the benefit of your knoweldge of Mexico, based upon your experience and your investigations. What opportunities have you had to learn conditions in Mexico?

Mr. BARTCH. Before the revolution I was in Mexico a number of times. The first time I went down to Mexico was in 1907, to make an examination of some mining districts and the mining law in Mexico, and mining districts in the State of Oaxaca, with a view to the tonnage that would come to a railroad. I was sent there by some people in New York, or in the East. I made an examination and a comparison of the mining laws of Mexico with our own mining laws and reported to them. I believe I stated that was in August, 1907. I went down in July and came back in August.

Mr. KEARFUL. What sort of experience did you have in Mexico?

Mr. BARTCH. The parties then obtained a concession from the Mexican Government to build a railroad from Salina Cruz to Acapulco, and from the junction of the Rio Verde River to the City of Oaxaca, and I became general counsel. After that I made a number of trips down to Mexico City and to the City of Oaxaca and that southern country, until October, 1911, which was the last trip I made in the interests of the company.

Mr. KEARFUL. What sort of experience did you have personally in the country?

Mr. BARTCH. Well, I organized a holding company for them, for the railroad company. The railroad company was organized under

the laws of New Jersey, and the holding company under the laws of Arizona. Then I went with them over the line of the road, and was sent down afterwards to purchase the Oaxaca and Ejutla Railroad, which I did purchase. I looked over the line in the Valley of Oaxaca, and visited several other mining districts a number of times, and in the course of my employment I had considerable business at Mexico City with the department of the Government, and I became acquainted with a number of leading Mexicans, including President Diaz and Senator Tomacho, Senator Jose Castelasos, and Gen. Aguilar, who was chief of President Diaz's staff. I became acquainted also with a number of attorneys there. Lic Gande was one, and Lic Vasconcelos.

Mr. KEARFUL. What was the nature of the railroad concession that you mentioned?

Mr. BARTCH. The railroad concession gave the corporation the right of way over the national lands, along the entire line, and also facilities at Acapulca and Salina Cruz, and in harbors along the coast, and made connections with the City of Oaxaca and the Mexican Southern road there, and a narrow gauge running into the City of Oaxaca from Puebla, for a period of, as I now recollect it, 10 years. It may have been longer. It also provided that they should take in all their material from foreign countries free of duty and exempt from all taxes, state or national, as I now recollect, for a period of 15 years. It was quite a valuable concession.

Mr. KEARFUL. And in consideration of those privileges and exemptions, what was the concessionaire required to do?

Mr. BARTCH. He was required to build the road and complete it within a certain time.

Mr. KEARFUL. What security did he have to give, if any?

Mr. BARTCH. To put up, as I recollect it, \$96,600 in Mexican internal bonds. I am not sure of that term, but it was Mexican bonds. I think it was internal bonds. They bore 3 per cent interest, I think. That was put up by them.

Mr. KEARFUL. What became of that security?

Mr. BARTCH. It is still there, so far as I know.

Mr. KEARFUL. Was the road ever built?

Mr. BARTCH. The road was not built.

Mr. KEARFUL. Why not?

Mr. BARTCH. On account of the revolution. I might say here that during my visits down there in President Diaz's reign we found everything very agreeable. There seemed to be peace everywhere. We were not disturbed. In fact, so far as my own personal treatment was concerned, it could not have been better. I do not recollect of ever having an improper word said to me. I felt perfectly free. I slept with the people in the mining camps and on the ranches, where they had no locks or doors, and never had anything disturbed. In the city of Oaxaca, I used to sleep with my doors and windows open, and when I went away for a number of days or for a longer period I left my things right in my room and had nothing disturbed. The country was under admirable control, as I thought. I felt just as safe there as I did in Salt Lake City, as far as that is concerned. That continued until after the revolution broke out.

Just a moment, before you go into that. Are you familiar with the policies of the American Congress in

the past in granting aid to the construction of transcontinental railroads across the western part of the United States?

Mr. BARTCH. My recollection of that is that the American Congress issued bonds to the Union Pacific from Omaha to Ogden in the sum of \$25,000,000, and to the Central Pacific from Ogden to San Francisco in the sum of \$27,000,000, and in addition to that granted them every alternate section of Government land on each side of the railroad for a distance of 20 miles.

Mr. KEARFUL. And in the case of the disposal of any of these lands before the definite location of the road, lands to a further extent were granted in lieu of those?

Mr. BARTCH. Yes, sir; that is my understanding.

Mr. KEARFUL. Do you remember whether it was a general practice to make these large land grants to aid in the construction of railroads?

Mr. BARTCH. I think so.

Mr. KEARFUL. Were there any grants of land, or grants of money or bonds to the railroads that you had to do with in Mexico?

Mr. BARTCH. No; we had no subsidy. I might say now that it was understood that we had one of the best concessions that had been granted there, but there was nothing of that kind granted.

Mr. KEARFUL. That is, the concession you obtained was considered more favorable than those under which the other roads had been constructed?

Mr. BARTCH. It was considered quite favorable. We were better protected than others, and we had these exemptions from taxation.

Mr. KEARFUL. What would have been the results to the country, by way of benefits or otherwise, by the building of that railroad you have mentioned?

Mr. BARTCH. Well, the building of that railroad would have made a connecting link between the Guatemalan Railroad with the Mexican Central and other roads in Mexico City, connecting at the City of Oaxaca with a narrow gauge, but in contemplation finally for us to build to Mexico City. However, we had no concession for that. Under Diaz's administration, though, I think we could have gotten it. That would have meant a transcontinental line through both countries clear up to Canada, and to my mind would have established a great transcontinental line which would have been of great benefit to the two countries, and would have been of immense benefit and interest to Mexico in getting a market for the produce of that southern country, and also to this country in getting the advantage of the Mexican products, and Mexico's other resources, hidden resources, that were not yet developed.

Mr. KEARFUL. Did you ever personally have a conversation with Porfirio Diaz, in which he expressed his sentiments in regard to the desirability for Mexico of encouraging Americans and American capital to come into that country?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Please state what sentiments he expressed in that regard.

Mr. BARTCH. Gen. Humphrey and I and several others, I do not recollect them all, now, called on Porfirio Diaz in 1907, and had an interview with him, through an interpreter. The President

could talk English some, but in his interviews he generally talked through an interpreter. The interview was very pleasant and very satisfactory. He said, referring to the people there, "We like you Americans. You are a progressive people. We like to have you come among our people, so that our people will learn your ways. Our people don't know. They have not had the opportunity and they are not educated as your people. We must educate them."

On another occasion, a friend of mine said to me, and I am not sure whether that was not also stated in that interview, that in reference to the political conditions there, "Our people can not vote as your people. They are not educated. We must educate them, and then they can vote the same as the people of the United States."

He expressed himself quite forcible to me frequently, in regard to our colonies of Americans, or American colonies. He said they were industrious, and if I mistake not he said they were the best colonists they had had, and spoke of some of the fruit and various things they cultivated in tilling the soil. It was not alone Porfirio Diaz, but those who were interested with him. They seemed to be very friendly.

I talked with Senator Jose Castelasos many times on that subject. He had been three times President of the Mexican Senate, and was a scholarly gentleman, a man that probably understood Mexican affairs as well as any other man in Mexico.

Mr. KEARFUL. By the way, do you know where Senator Jose Castelasos is now living?

Mr. BARTCH. The last I heard of him, I had a card from him not long ago, he was still in New York.

Mr. KEARFUL. He is living there as an exile from Mexico, is he?

Mr. BARTCH. Yes, sir. He was well versed in governmental affairs, and he took me on several occasions to the Mexican Senate, when it was in session, and I met quite a number. At that time they had some strong men. There is no doubt about that. There were a number of other men I became acquainted with, among them Francisco de la Barra.

Mr. KEARFUL. He also is exiled, is he not?

Mr. BARTCH. That is my understanding. Limantour was a strong man, a strong financier. So was Gamboa. Gamboa was a great statesman, in my opinion.

Mr. KEARFUL. He was Secretary of the Ministry of Foreign Relations?

Mr. BARTCH. He was the secretary under the Huerta administration.

Mr. KEARFUL. He was subsecretary under Diaz?

Mr. BARTCH. Yes. There was a strong coterie of men there that were capable of running the Government.

Mr. KEARFUL. What was the attitude of Porfirio Diaz and the other official Mexicans toward the Mormon colonies in the northern part of Mexico?

Mr. BARTCH. Quite favorable, as far as I could ascertain.

Mr. KEARFUL. Were they glad to have them there?

Mr. BARTCH. Yes.

Mr. KEARFUL. Have you had special occasion to know just what the Mormon colonies did in Mexico?

Mr. BARTCH. Well, in my investigation as an attorney. I never was at the colonies.

Mr. KEARFUL. What did you learn in respect to the number and extent of the colonies, and what they were doing for themselves and for the development of the country?

Mr. BARTCH. In my investigation I learned that when they first went there the country was generally barren, much the same as our own country was in the West. The same great range of mountains, the Rocky Mountains in our country, extends down through Mexico and becomes the "Sierra de Sur and Sierra Madre." They began to cultivate the land and build homes, and soon began to have large tracts of land under cultivation, and they organized town sites and built up towns.

The towns of Colonia Diaz, Colonia Juarez, Colonia Dublan, Colonia Garcia, Colonia Pacheco, Colonia Chuachupa, Colonia Morelos, Colonia San Jose, were all towns of that character, which were built up principally by the Mormon people, although, of course, a good many Mexicans live there also. When they went in there at first, especially at Colonia Pacheco, and Colonia Chuachupa, they had a good deal of trouble with the Apache Indians. That was in their early history. They got rid of those, and got the country in a condition that it could be settled.

Mr. KEARFUL. That was back in the eighties, was it not?

Mr. BARTCH. Yes; that was a long time ago. But some of them went into that country at that time. At that time it was a dangerous thing. The Mexicans themselves at that time could not do anything.

Mr. KEARFUL. Did they use modern methods of farming and bring blooded stock and things of that kind into the country?

Mr. BARTCH. The evidence shows that decidedly. They had very good stock, cattle, and horses. I think the record shows in that line perhaps about the same as it would in our own country. And they planted orchards, and had an abundance of fruit, and raised all sorts of things that are raised in that climate.

Mr. KEARFUL. What kind of houses did they have, compared with the Mexicans?

Mr. BARTCH. Some of them had very fine houses—many of them had, compared with the Mexicans. Of course, you would say the Mexicans had huts, while you would say the others would be dwellings. Gen. Salazar himself said the Mexicans lived in huts while the Americans lived in mansions.

Mr. KEARFUL. What sort of people were those Mormons, as to being peaceable and law-abiding?

Mr. BARTCH. The Mormons, as far as I could ascertain, were generally peaceable. They are a peaceable people, they are an industrious people. As far as I could ascertain, they were the same in Mexico, and as far as my research went they complied strictly with the laws of Mexico.

Mr. KEARFUL. Did they ever have any trouble with the Mexicans up to the time of the Madero Revolution?

Mr. BARTCH. Not that I ever heard of. I don't think I have in the record anywhere any serious trouble. The fact is, up to that time the Mexicans and the Americans were friendly. There was a friendly feeling among them. Quite a number of Mexicans joined

the Mormon church and they had their representatives among them, and they seemed to live in peace and harmony with each other. There was very little difficulty in any way, either between this Government and the Mexican Government, or between the people.

I might suggest here that under the treaty of Guadalupe Hidalgo there are strong provisions between the two countries, and it seems to me that at the time when that treaty was made that it was made to induce people of the one country to settle in the other, for the purpose of establishing commercial relations between the two countries, and they were to enjoy the protection that would be due to any first-class nation, and the right to be inviolate in their homes and in their religion.

The result was that many of the Americans settled in Mexico, and a great many Mexicans settled in this country. They have had our protection; they have had the same recourse to our courts that the American people have had. That was probably true during the Diaz administration in Mexico. I might say that in my interview with him I became impressed with him as one of the greatest rulers of that day. He understood his people. He handled them the only way that I have been able to figure out how they could be handled, and under those circumstances there was very little trouble.

And further, he developed the country. When Porfirio Diaz became President of Mexico, I think all Mexico had about 385 miles of railroad. That was, I believe, in 1885. When he was forced to abdicate there was, as I recollect, 17,000 miles of railroad. When he went into power the mining interests, so far as smelters and such like were concerned, if there were any, they were very few, and they were of an inferior character. When he left there they had some of the best smelters that are found in either country. As is well known, the American Smelting & Refining Co. had large interests there. Mexico was being developed rapidly.

Mr. KEARFUL. Mr. William Jennings Bryan has this to say, in the Commoner of January 30, 1903, stating of Porfirio Diaz:

With the exception of one term he has been President since 1876, during which time he showed wonderful ability, and it is doubtful if there is in the world to-day a chief executive of greater capacity and devotion to his people. Certainly, no people have made greater relative progress than the Mexican people have made under the administration of Porfirio Diaz. Education has been promoted, law and order established, agriculture developed, commerce stimulated, and nearly every section of the country connected by railroad with the capital.

Does that accord with your knowledge of President Diaz?

Mr. BARTCH. It does. I will say here that President Diaz's intention was to establish a system of education throughout Mexico. He had established many schools in the southern part of the country. I visited one about 5 miles east of the city of Oaxaca. It was taught by a bright Spanish girl. She had excellent decorum, and they seemed to be getting along nicely. The children were dressed nicely. That was the only school that I visited. I simply wanted to see what they were doing. But I was informed by different parties there that they were pretty well established in that southern country at that time, and I saw a number of photographs that were taken of schools that showed them very nicely. I also was invited to an interview with Archbishop Keilo of the city of Oaxaca, and

he gave me a great deal of information in that respect. He stood high with the Mexican Government at that time, under President Diaz. He also described those schools in a similar way, and what they intended to do, and what ought to be done.

Mr. KEARFUL. What have you observed as to the influence of the Catholic Church in Mexico; whether it was good or bad for the people?

Mr. BARTCH. I never investigated that subject to any considerable extent. I became acquainted with a number of them, and among them Archbishop Keilo, who was a very high-toned gentleman, and from the sentiments that he expressed to me I would think that their influence would be good, would not be detrimental to the Mexican people. The church itself, however, in the past, as is well known, influenced the nation politically and otherwise, no doubt about that, but I think there was a great change after President Diaz took hold of reins.

Mr. KEARFUL. Do you remember that the change took place during the time of President Juarez, and the adoption of the reform laws?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Did you judge from your contact with the church dignitaries as to whether they stood for law and order and morality and education?

Mr. BARTCH. They always expressed themselves that way to me. In some respects their laws are better than ours. Their mining laws are decidedly better, in my judgment.

Mr. KEARFUL. In the course of your investigations, did you learn of a plan on the part of certain radical elements in Mexico to drive out the Americans and take away their properties?

Mr. BARTCH. I did.

Mr. KEARFUL. When was that plan originated?

Mr. BARTCH. As near as I can locate it, it was conceived about the time of the fomenting of the Madero revolution.

Mr. KEARFUL. What was the plan, as you learned it?

Mr. BARTCH. The plan was to overthrow the government of Porfirio Diaz and to drive all the Americans out of Mexico and divide their property.

Mr. KEARFUL. Was the slogan under that plan, "Mexico for the Mexicans"?

Mr. BARTCH. "Mexico for the Mexicans," and "The United States for the Gringos."

Mr. KEARFUL. Did you understand that the phrase "Mexico for the Mexicans" as they used it meant property of the Americans and other foreigners for Mexicans?

Mr. BARTCH. Yes, sir; their entire property.

Mr. KEARFUL. Prior to that time, what was the relation as to good feeling or otherwise between the Americans and Mexicans?

Mr. BARTCH. There was a very good feeling, as the evidence shows, a very good feeling between the Mexicans and Americans. They mingled among each other, and there seemed to be no difficulty, as far as I could discover. In fact, I have taken a good deal of evidence to support that.

Mr. KEARFUL. Was it about the time of the conception of this plan that this feeling on the part of the Mexicans began to change?

Mr. BARTCH. Right after the breaking out of the revolution in 1910, when the first of it became known, the feeling began to change. When the rebel soldiers began to make their invasions through those northern district they created an anti-American sentiment, and it was part of their plan to do that. Their first invasions were not so bad as they become afterwards.

Now, on that subject, with your permission I would like to refer to the testimony of a few of their fights to show you what I base my conclusions on. Some time before the breaking out of the Madero revolution a committee of prominent Mexicans called upon a gentleman by the name of Henry A. Martineau, who was an American, and wanted him to join their cause. They told him there would be a revolution, and they wanted him with them. They divulged their plans to him. He did not remember the exact date when they came to him and told him there would be a revolution to overthrow the government of Porfirio Diaz and to drive the Americans out of Mexico, except those who would be with them, and they wanted to know whether he would join them. All those who favored President Diaz were to be run out. He replied that he could not join them; that he himself was an American, and in case anything of that kind occurred he would remain neutral. He said he tried his best to get them to desist from it, told them that it would mean a great loss of life and a vast expenditure of money, advised them not to attempt it, that the country was doing well, and strongly advised against it. They said, when he told them he could not join them, it made no difference, the revolution was bound to come. Then he asked them when it was to break out. They would not give him the date, but said it would be soon. He was at the town of Madero at that time.

From the talk he had with them he was very deeply impressed. He felt that he could make no impression on them to desist from it; that they were determined to proceed. He then went to his home at Chuachupa to watch events. He said that when the revolution broke out the proceedings of the military forces were substantially as they had outlined them to him; that is, their proceedings toward the Americans and foreigners. They created an adverse sentiment against foreigners, a hostile sentiment, and that was directed especially against Americans. After the breaking out of the revolution, they began hostile invasions. Their armies would appear at the homes of Americans, at their fields, cut the fences, tear them down, and turn their army horses into their crops, growing crops, and into their gardens. They became more and more violent as time passed, and the Americans found that their appeals to the officials were useless. They were received either with indifference or insolence, and they could get no protection.

Mr. KEARFUL. That was during what was known as the Madero revolution?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. And, subsequently, after Madero came into power and the Orozco revolution started, what acts were then committed showing the carrying out of this same plan, if any?

Mr. BARTCH. They continued just the same. I would like to refer to several of these people to show what I base my conclusions on in that respect. The plan was afterwards on various occasions an-

nounced publicly in speeches of generals and leading Mexicans, leaders in Mexico, and I wish to refer to a few of those. The officials, military and judicial, all seemed to be imbued with the same spirit.

Gen. Jose Inez Salazar at that time was one of the leading generals in the Madero revolution and had charge of that district. He made a speech at Pearson, which I can probably better state in the language that was testified to than to state it otherwise.

Mr. KEARFUL. It was reported verbatim in Spanish and translated into English, was it?

Mr. BARTCH. That speech was not, but it is given here, and I will simply state this as the witness has stated it.

As an instance of the speeches made by Mexican leaders, calculated to incite Mexican soldiers and subjects to violence against American citizens, I refer to a speech made by Gen. Jose Inez Salazar at Pearson, July, 1912.

Now, that particular speech was reported to him by Hiram Turley, who was at the meeting, and several other Americans were also at the meeting. His speech impressed Turley and all of them very much, because they saw there would be trouble. In the course of his speech he said that Gen. Salazar stated:

Look at the homes that these gringos live in; look at the huts that you Mexicans live in; look at the fine clothes that these gringos wear; look at the rags you Mexicans wear. All of this property belongs to you. These gringos must be run out of the country, and the property divided among Mexicans. Mexico is for Mexicans, and the United States for the gringos. We have tried to make them fight. We have killed their people and robbed them, ravished their wives and daughters, and done everything we could to make them fight, but they dare not fight. They are all cowards, and their President is a cowardly dog and dares not defend them. Under Diaz they flourished, but now there is a change in the Government and we will drive them out of the country.

The witness stated that when Turley reported the speech to him, which was afterwards corroborated by other Americans who were there, it impressed him very much from the fact that this committee of prominent Mexicans had divulged their plans to him and this was in line with what they had stated would be the result of the revolution.

Now, on that same line, I refer to the case of Albert D. Webb. He stated that about the middle of June, in 1912, when the army of Gen. Augustin Sanjilez was invading Colonia Morelos, in the State of Sonora, there was one of his officers boarding at the same place of the fight, and the officer in talking to a lady guest asked her, "How would you like to see the colony of the Mormons made desolate?" She said that she thought that she would not like to see it. The officer then stated, "You will see it in a short time. It will not be long before it is done."

He states that all along until the Americans were finally driven out of Mexico their actions and conduct had the appearance of a concerted movement among the Mexican military forces and hostile nationals that were operating with them to drive the Americans out of the country, who were subject to the command of Gen. Jose de La Luz Blanco, and they informed him that the plan of the Mexicans was to drive the Americans out of Mexico and own their property and homes, and that they described to him certain concessions

of land granted by the Mexican Government to Americans, and lands acquired and owned by Americans, and stated that they would all have to leave Mexico.

Now, while we are on this subject, I presume we may as well dispose of these different points?

Mr. KEARFUL. Yes.

Mr. BARTCH. The testimony that I wish to refer to is that of Milton G. Trejo. Mr. Trejo was an old gentleman—I think he was past the age of 70. He lived in Colonia Chuachupa. He was there when the Mexican Army drove the Americans out of that town. He was the only American that was left in the town. He had a Mexican friend who was with him, and he had charge of his farm, a tract of 80 acres, and was living at his home. He found that while the Mexican had charge of that when he was there he felt safe, and that condition continued until about the 1st of March, 1913.

There were a number of raids made upon Chuachupa. They were driven out of that town on the 31st of July, 1912. At that time Gen. Antonio Rojas with a hostile army invaded the town and called a meeting at which there were a large number of Mexicans, and he also was there. The officer next to Gen. Antonio Rojas made a speech at the meeting. Mr. Trejo was a Spaniard by birth and education, and understood the Spanish language thoroughly and talked it, and I have here an excerpt of his statement in Spanish and also in English. I take it that all that is necessary is the English, but he also gives it in Spanish.

As I said, the officer next to Gen. Antonio Rojas made a speech at the meeting, and in that speech he stated:

The Monroe doctrine in America for Americans, and our revolutionary plan is Mexico for the Mexicans. The lands which the Americans have was never paid for by them to the Government. Consequently it is ours, and in consequence this village, Colonia Chuachupa, belongs to us, with all its improvements and every kind of property left by the Americans. Madero is dead. The Government is ourselves now.

Mr. KEARFUL. That was in March, 1913?

Mr. BARTCH. That was about the 1st of March, 1913. I could not give the exact date.

Mr. KEARFUL. Madero was killed on February 22, 1913, was he not?

Mr. BARTCH. Yes, sir. Under Madero Gen. Rojas declared he was going to support the Government as it was, and, of course, at that time there was no change, so I take it he would still be a federal officer.

Gen. Rojas was there and acquiesced in those speeches, and stated that he was going to support the Government of Mexico, that he was going to be general in chief in the State of Sonora, and that Gen. José Inez Salazar would be commander in chief in the State of Chihuahua, and would carry out the plan they were then organizing in the towns, and donate the property owned by the Americans, including the land owned by Mr. Trejo, to the Mexicans. So that he then became the owner of Mr. Trejo's property, and the witness then stated that in a few days after that speech at that meeting his Mexican friend or tenant, who had been professing great friendship for him, said that he must abide by the law as announced at that meeting, and that he, according to that, was the owner of the

property, and then made a firm demand upon Mr. Trejo that he should turn over the land and his personal property to him. Mr. Trejo tried to reason with him, but the more they talked the subject over the more determined the Mexican friend became, and he saw that he was determined to have that property at all hazards, and finally was compelled to pack up his grip that he had and go to the railroad and flee to the United States, and was deprived of his property.

Mrs. Laura A. Meacham resided in Colonia Juarez, and about the middle of February, 1912, a detachment of Mexican soldiers invaded that town. The detachment was under the command of Gen. Salazar. The officer made a speech in which he said: "The Americans have to go, and those beautiful homes will be ours, and we will appropriate these homes." Then he pointed to a house owned by H. C. Bentley, an American, and said, "A Mexican can have that home." He pointed to the home of Henry C. Harper and said, "A Mexican shall have that home, and we will divide all the property among ourselves."

Mrs. Meacham impressed me very strongly as a lady of considerable talent, and of truth, and there is no question in my mind about that, and the manner in which she was treated was shameful. She also stated that after the speech the soldiers openly insulted the ladies in the streets and abused them—that is, the American ladies—and they appealed to the officers but could get no redress.

Now, I wish to refer to the case of Samuel W. Jarvis, an American. This incident occurred about the 25th of July, 1912. Mr. Jarvis had occasion to call on Gen. Salazar respecting some depredations that had been committed against him, and he got no satisfaction from him, but the general directed him to order Julius Romney, an American, to appear at his headquarters the next day at 10 o'clock. That would be the 26th. It was about that time. I would not be positive as to the exact date. I think that is correct, however.

The next day Mr. Romney and Mr. Jarvis and several other gentlemen appeared at his headquarters at the time named. The general then notified Mr. Romney, in the presence of this affiant, that all guarantees for the safety of life and property of American citizens were withdrawn, and commanded him to have all the citizens deliver their guns and ammunition to him at headquarters immediately, and stated that he would furnish them no protection. Mr. Romney said to him that he had no authority to make such an order. Then he placed him and his companions under arrest. Mr. Romney said to him, "We will not deliver our guns. We want them for the protection of our families." Gen. Salazar replied, "I notify you that I have the city of Colonia Dublan surrounded by my soldiers, and my cannon trained on the town, and unless you agree to deliver the guns and ammunition we will blow your town and your wives and children into eternity." Mr. Romney had told him that they had the guns to protect their wives and children, and he made that reply. Mr. Romney then said to him that he did not wish any evil to befall their families, and that he would leave the matter before the people and would advise them to give up their guns and ammunition.

He then released them from prison and sent Mr. Romney to Colonia Dublan with an escort of about 50 soldiers. When they got there they

called a meeting of the citizens, and the meeting was held in one of the American's houses. I will quote from his statement:

While they were holding the meeting in the American's house the house was surrounded by about 75 soldiers in hostile mood and commanded by Col. Lino Ponce, who was subject to Gen. Salazar. He gave them but a few moments to decide, and at the same time a force of about 50 soldiers were drawn up in hostile attitude in front of the Union Mercantile Co.'s store. Another force of about 400 soldiers was drawn up in line in hostile attitude in the western parts of the town, and another force were unloading cannons at the railroads and training them on American homes.

Those present at the meeting, seeing the forces against them, decided to advise the people to deliver up their guns; and as they emerged from the house each one, as the witness stated, was covered by a rifle until they began to deliver the guns. The guns were delivered to Gen. Lino Ponce, and in receiving those guns now and then he made an occasional sarcastic remark.

The testimony also shows that when the army came in and invaded the town some of the soldiers gathered in the saloon, I think—at all events it was a building—and were talking over the situation. Some of the Americans were in the place and heard them. They understood Spanish. They said they were going to ravish every American woman from 8 years up, as he places it here, "women and girls," but I remember that was the testimony of a number of witnesses.

Mr. KEARFUL. What effect did that have upon the exodus of people?

Mr. BARTCH. They reported the circumstances to the other people, and the vicious attitude of the soldiers in destroying other property of Americans and the abuse they were giving to the people satisfied them that they were in danger. They at once got together and decided to send all the women and children out of the country on the next train. That was on the 28th of July, 1912. But when they got to the station, there was no building there, but where trains stopped, the train that came in was already overcrowded with other Americans fleeing from other towns, and they could not get on. They then laid all night at the railroad waiting for a train. Another came along, as I now recollect, about 9 o'clock, possibly 10, a mixed train, consisting of a few passenger coaches and the balance box cars, and they all boarded that train with an escort of men and left. They were not permitted to take anything with them except what they carried in their arms. After that train left the railroad was torn up. They had not sufficient clothing and effects with them to make them comfortable, and a committee waited upon Gen. Salazar and appealed to him to permit them to take some of their trunks and effects by wagon overland to make their families comfortable, but he obstinately refused to permit them to take anything.

Mr. KEARFUL. What became of those people, if you know, when they arrived in the United States, at El Paso?

Mr. BARTCH. They lived in tents, the most of them.

Mr. KEARFUL. Did they have means with which to provide for themselves?

Mr. BARTCH. No; as I recollect it now, the United States Government furnished them about \$100,000 to aid them while there. I don't know that I ought to give my opinion on that. My own thought was that they ought to have made an appropriation sufficiently large to hold them in Mexico and protect them.

Mr. KEARFUL. Can you give a description of the outrages that were perpetrated on the inhabitants of those various colonies?

Mr. BARTCH. Well, on the night of the 28th of July, when they were there, it is clearly shown that the women and children were abused and insulted in the most shameful way, so that when they were left they were perfectly terror stricken. Now, that incident occurred on the 29th of July.

Now, in answer to your last question, I will endeavor to give the condition of the other colonies at the time they were driven out. The Americans were driven out of Colonia Diaz on July 28, when the army appeared in Colonia Dublan. Some of the Americans at once sent out couriers to all the other settlements to tell them what was going on. They learned that they were going to send detachments of soldiers to all of them, and the couriers described at Colonia Diaz what had taken place at Colonia Dublan, and a detachment was then on its way to that town, and they got out by the time the army arrived there.

Another detachment of the same army was sent to Colonia Juarez, and invaded Colonia Juarez on the 29th of July. The women and children were also sent to the United States in safety.

I should say, with reference to Colonia Dublan, that after the women and children had been sent from the town, the men, except an escort, remained there to try and protect their property, and they were there on July 30 and 31. In the meantime, the soldiers had been destroying their property at random, as they saw first, broke into the houses, smashed their furniture, and appropriated their belongings. On the 1st of August they learned that they were about to determine what they were going to do; that is, the Mexican soldiers were about to determine what they were going to do, and they became fearful of the result. They gathered the people together in the nighttime, and early in the morning they started from town to go into the mountains, where they could protect themselves, and they succeeded in getting out of the town, but when they got out a distance of about four or five miles, some of them observed there a dark cloud in the road, something like a cloud of dust. They detailed a detachment to wait and ascertain what that was. Pretty soon the soldiers came in sight, and finally within shooting distance. As soon as they got within range of the rifles they began to fire upon the Americans, and they divided into two or three columns, trying to capture them. The Americans then headed forward to those comrades in advance, and did not return the fire until one of them was hit in the leg. The bullet, however, was spent and did not break any bones. Then they delivered their guns; they had secreted some of their best rifles and ammunition, and had taken those with them. They then stopped and opened fire on the Mexicans. As soon as the Mexicans found they were armed, they stopped and retreated.

Now, it does not show, it does not appear whether or not they killed any of the Mexicans. I take it, however, that they did, from the fact that Gen. Salazar, in his speech in Colonia Morelos stated that they had killed some of the Mexicans, and that they should pay or words to that effect.

Then then went to a place called "Estajos" in the mountains, which was very difficult of access and where they could protect them-

selves, and send couriers to other towns, to the men who were remaining back to meet them there and they would leave the country together.

But they were advised of another speech of Gen. Salazar in the evening, in which he stated that they had slipped through his hands this time. "They have slipped through our hands this time, but we will get them yet." Then they sent two couriers to Hachita, New Mexico, and to El Paso, to advise their families where they were, and to look for the best route they could get, so as not to come in contact with Mexican military forces. I should say that these scouts were to return to town. After that speech, however, they left, and on the way back the scouts learned that Generals Salazar and Blanco were in the town of Ojitos, where they had a force of about 3,000 soldiers. They related to them what had occurred and how they were driven out of Colonia Dublan, but neither of them concerned themselves about it. They received their appeals with indifference, and neither offered or gave them any help.

Mr. KEARFUL. These officers you mention were federal commanders?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Under Madero?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. And the others who had committed the depredations were rebels under Orozco?

Mr. BARTCH. Yes, sir. The number of rebels at that time in all that region, as near as I could determine, as the witnesses stated, was about 1,700. So that the federals had a force sufficiently large to protect the colonies, if they had willed to do so.

Now, to further show their attitude I wish to refer to the affidavit here of Derenda B. Farnsworth, filed in the case of Gaskell Romney, which contains a copy of a letter of Gen. Blanco wrote to Mr. Farnsworth. Mr. Farnsworth knew him very well. Shall I read that letter?

Mr. KEARFUL. If you think it is important.

Mr. BARTCH. I think it is. It reads as follows:

EL PASO, TEX., *July, 1913.*

MR. D. B. FARNSWORTH.

DEAR SIR: In response to your inquiry I have the honor to say that Gen. Santinez and I left Agua Frieta on or about July 2, 1912, on our way to Casa Grandes, arriving at Colonia Morelos on or about July 4. We went from there to Colonia Oaxaca, and I left Oaxaca about July 7, 1912, arriving at Ojitos about six days before Gen. Santinez, who arrived there about July 17, 1912, with 750 well-armed and well-equipped Federal military soldiers, 600 of which were mounted cavalry and 200 were armed infantry. We had with us two extra good cannons, Schmerder-Canet of 75 millimeters, two well-operated machine guns, two fusilez, reccor, with plenty of ammunition for the same as well as plenty of provisions for the men. Our men and horses being fresh when we arrived at Ojitos, I was anxious to go back and protect the colonies, but Gen. Santinez decided to stop there, and we remained until the 28th of July, 1912, when we were attacked by Gen. Salazar's combined forces from Casas Grandes.

That was one of the forces that had operated there.

Mr. KEARFUL. Operating against the Americans?

Mr. BARTCH. Well, I don't know whether it is the same force, but he had charge of the entire army there.

We easily repulsed their attack, pursuing them into within 20 miles of Casas Grandes, having taken their provisions and all their artillery, which consisted of five pieces. We remained at Ojitos until about the middle of August, when we started for Casas Grandes, arriving at that point about the 15th of August, 1912.

Respectfully, your friend,

JOSE A. BLANCO.

From that it appears that their army was there all the while these depredations were being committed.

Mr. KEARFUL. Was there any defense of the attitude shown by the Federals or the rebels at any period?

Mr. BARTCH. Not that I ever knew of.

Mr. KEARFUL. Do you recollect that during the time of Madero permission was given by this Government for the troops of Madero to go through the territory of the United States in order to attack the rebels under Orozco?

Mr. BARTCH. Yes; I remember that. I remember that very well.

Perhaps I would get this in better order if I would now proceed to give the rest of these outrages in accordance with the line on which I started out.

Mr. KEARFUL. Very well.

Mr. BARTCH. The army invaded Colonia Garcia on July 31, 1912, and the women and children were sent to the United States on that day, the men remaining to try and protect their property. On the way returning from the railroad station the men who had taken the women and children to the station were intercepted by the army and disarmed, and then the army proceeded to the town to disarm them there. They remained there a couple of days to see whether they could protect any of their property, but were finally notified that they were in great danger, that the officers had made serious threats against Americans, and they left in the night and finally also reached the United States.

I should say further, in regard to Colonia Garcia, after they had broken in the homes and seized, destroyed, and appropriated what property they wanted, and had generally devastated the town, a detachment of them proceeded to a large reservoir in the canyon above the town, where they deliberately blew up the dam with dynamite, releasing a large amount of water which rushed down the canyon and destroyed all the mills and buildings that were erected along the stream.

A detachment of the same army invaded Colonia Pacheco on the 29th of July, 1912, and the women and children were also sent away to the United States in safety, and the men were driven from that town on August 3.

Another large detachment of the army proceeded to Colonia Chuachupa. It was a very hostile army, according to the evidence, and a courier was sent to that town to advise the Americans to flee at once before the army reached them. The women and children were taken to the station, and the men that took them there with their guns were disarmed. All except the scouts remained at Chuachupa to try to protect their property. About the 1st of August another courier was sent there to advise them to leave the town immediately, that they were in danger. The parties that were still there gathered up their saddle horses and what provisions they could and hid them

the Mormon church and they had their representatives among them, and they seemed to live in peace and harmony with each other. There was very little difficulty in any way, either between this Government and the Mexican Government, or between the people.

I might suggest here that under the treaty of Guadalupe Hidalgo there are strong provisions between the two countries, and it seems to me that at the time when that treaty was made that it was made to induce people of the one country to settle in the other, for the purpose of establishing commercial relations between the two countries, and they were to enjoy the protection that would be due to any first-class nation, and the right to be inviolate in their homes and in their religion.

The result was that many of the Americans settled in Mexico, and a great many Mexicans settled in this country. They have had our protection; they have had the same recourse to our courts that the American people have had. That was probably true during the Diaz administration in Mexico. I might say that in my interview with him I became impressed with him as one of the greatest rulers of that day. He understood his people. He handled them the only way that I have been able to figure out how they could be handled, and under those circumstances there was very little trouble.

And further, he developed the country. When Porfirio Diaz became President of Mexico, I think all Mexico had about 385 miles of railroad. That was, I believe, in 1885. When he was forced to abdicate there was, as I recollect, 17,000 miles of railroad. When he went into power the mining interests, so far as smelters and such like were concerned, if there were any, they were very few, and they were of an inferior character. When he left there they had some of the best smelters that are found in either country. As is well known, the American Smelting & Refining Co. had large interests there. Mexico was being developed rapidly.

Mr. KEARFUL. Mr. William Jennings Bryan has this to say, in the Commoner of January 30, 1903, stating of Porfirio Diaz:

With the exception of one term he has been President since 1876, during which time he showed wonderful ability, and it is doubtful if there is in the world to-day a chief executive of greater capacity and devotion to his people. Certainly, no people have made greater relative progress than the Mexican people have made under the administration of Porfirio Diaz. Education has been promoted, law and order established, agriculture developed, commerce stimulated, and nearly every section of the country connected by railroad with the capital.

Does that accord with your knowledge of President Diaz?

Mr. BARTCH. It does. I will say here that President Diaz's intention was to establish a system of education throughout Mexico. He had established many schools in the southern part of the country. I visited one about 5 miles east of the city of Oaxaca. It was taught by a bright Spanish girl. She had excellent decorum, and they seemed to be getting along nicely. The children were dressed nicely. That was the only school that I visited. I simply wanted to see what they were doing. But I was informed by different parties there that they were pretty well established in that southern country at that time, and I saw a number of photographs that were taken of schools that showed them very nicely. I also was invited to an interview with Archbishop Keilo of the city of Oaxaca, and

he gave me a great deal of information in that respect. He stood high with the Mexican Government at that time, under President Diaz. He also described those schools in a similar way, and what they intended to do, and what ought to be done.

Mr. KEARFUL. What have you observed as to the influence of the Catholic Church in Mexico; whether it was good or bad for the people?

Mr. BARTCH. I never investigated that subject to any considerable extent. I became acquainted with a number of them, and among them Archbishop Keilo, who was a very high-toned gentleman, and from the sentiments that he expressed to me I would think that their influence would be good, would not be detrimental to the Mexican people. The church itself, however, in the past, as is well known, influenced the nation politically and otherwise, no doubt about that, but I think there was a great change after President Diaz took hold of reins.

Mr. KEARFUL. Do you remember that the change took place during the time of President Juarez, and the adoption of the reform laws?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Did you judge from your contact with the church dignitaries as to whether they stood for law and order and morality and education?

Mr. BARTCH. They always expressed themselves that way to me. In some respects their laws are better than ours. Their mining laws are decidedly better, in my judgment.

Mr. KEARFUL. In the course of your investigations, did you learn of a plan on the part of certain radical elements in Mexico to drive out the Americans and take away their properties?

Mr. BARTCH. I did.

Mr. KEARFUL. When was that plan originated?

Mr. BARTCH. As near as I can locate it, it was conceived about the time of the fomenting of the Madero revolution.

Mr. KEARFUL. What was the plan, as you learned it?

Mr. BARTCH. The plan was to overthrow the government of Porfirio Diaz and to drive all the Americans out of Mexico and divide their property.

Mr. KEARFUL. Was the slogan under that plan, "Mexico for the Mexicans"?

Mr. BARTCH. "Mexico for the Mexicans," and "The United States for the Gringos."

Mr. KEARFUL. Did you understand that the phrase "Mexico for the Mexicans" as they used it meant property of the Americans and other foreigners for Mexicans?

Mr. BARTCH. Yes, sir; their entire property.

Mr. KEARFUL. Prior to that time, what was the relation as to good feeling or otherwise between the Americans and Mexicans?

Mr. BARTCH. There was a very good feeling, as the evidence shows, a very good feeling between the Mexicans and Americans. They mingled among each other, and there seemed to be no difficulty, as far as I could discover. In fact, I have taken a good deal of evidence to support that.

Mr. KEARFUL. Was it about the time of the conception of this plan that this feeling on the part of the Mexicans began to change?

Mr. BARTCH. Right after the breaking out of the revolution in 1910, when the first of it became known, the feeling began to change. When the rebel soldiers began to make their invasions through those northern district they created an anti-American sentiment, and it was part of their plan to do that. Their first invasions were not so bad as they become afterwards.

Now, on that subject, with your permission I would like to refer to the testimony of a few of their fights to show you what I base my conclusions on. Some time before the breaking out of the Madero revolution a committee of prominent Mexicans called upon a gentleman by the name of Henry A. Martineau, who was an American, and wanted him to join their cause. They told him there would be a revolution, and they wanted him with them. They divulged their plans to him. He did not remember the exact date when they came to him and told him there would be a revolution to overthrow the government of Porfirio Diaz and to drive the Americans out of Mexico, except those who would be with them, and they wanted to know whether he would join them. All those who favored President Diaz were to be run out. He replied that he could not join them; that he himself was an American, and in case anything of that kind occurred he would remain neutral. He said he tried his best to get them to desist from it, told them that it would mean a great loss of life and a vast expenditure of money, advised them not to attempt it, that the country was doing well, and strongly advised against it. They said, when he told them he could not join them, it made no difference, the revolution was bound to come. Then he asked them when it was to break out. They would not give him the date, but said it would be soon. He was at the town of Madero at that time.

From the talk he had with them he was very deeply impressed. He felt that he could make no impression on them to desist from it; that they were determined to proceed. He then went to his home at Chuachupa to watch events. He said that when the revolution broke out the proceedings of the military forces were substantially as they had outlined them to him; that is, their proceedings toward the Americans and foreigners. They created an adverse sentiment against foreigners, a hostile sentiment, and that was directed especially against Americans. After the breaking out of the revolution, they began hostile invasions. Their armies would appear at the homes of Americans, at their fields, cut the fences, tear them down, and turn their army horses into their crops, growing crops, and into their gardens. They became more and more violent as time passed, and the Americans found that their appeals to the officials were useless. They were received either with indifference or insolence, and they could get no protection.

Mr. KEARFUL. That was during what was known as the Madero revolution?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. And, subsequently, after Madero came into power and the Orozco revolution started, what acts were then committed showing the carrying out of this same plan, if any?

Mr. BARTCH. They continued just the same. I would like to refer to several of these people to show what I base my conclusions on in that respect. The plan was afterwards on various occasions an-

nounced publicly in speeches of generals and leading Mexicans, leaders in Mexico, and I wish to refer to a few of those. The officials, military and judicial, all seemed to be imbued with the same spirit.

Gen. Jose Inez Salazar at that time was one of the leading generals in the Madero revolution and had charge of that district. He made a speech at Pearson, which I can probably better state in the language that was testified to than to state it otherwise.

Mr. KEARFUL. It was reported verbatim in Spanish and translated into English, was it?

Mr. BARTCH. That speech was not, but it is given here, and I will simply state this as the witness has stated it.

As an instance of the speeches made by Mexican leaders, calculated to incite Mexican soldiers and subjects to violence against American citizens, I refer to a speech made by Gen. Jose Inez Salazar at Pearson, July, 1912.

Now, that particular speech was reported to him by Hiram Turley, who was at the meeting, and several other Americans were also at the meeting. His speech impressed Turley and all of them very much, because they saw there would be trouble. In the course of his speech he said that Gen. Salazar stated:

Look at the homes that these gringos live in; look at the huts that you Mexicans live in; look at the fine clothes that these gringos wear; look at the rags you Mexicans wear. All of this property belongs to you. These gringos must be run out of the country, and the property divided among Mexicans. Mexico is for Mexicans, and the United States for the gringos. We have tried to make them fight. We have killed their people and robbed them, ravished their wives and daughters, and done everything we could to make them fight, but they dare not fight. They are all cowards, and their President is a cowardly dog and dares not defend them. Under Diaz they flourished, but now there is a change in the Government and we will drive them out of the country.

The witness stated that when Turley reported the speech to him, which was afterwards corroborated by other Americans who were there, it impressed him very much from the fact that this committee of prominent Mexicans had divulged their plans to him and this was in line with what they had stated would be the result of the revolution.

Now, on that same line, I refer to the case of Albert D. Webb. He stated that about the middle of June, in 1912, when the army of Gen. Augustin Sanjilez was invading Colonia Morelos, in the State of Sonora, there was one of his officers boarding at the same place of the fight, and the officer in talking to a lady guest asked her, "How would you like to see the colony of the Mormons made desolate?" She said that she thought that she would not like to see it. The officer then stated, "You will see it in a short time. It will not be long before it is done."

He states that all along until the Americans were finally driven out of Mexico their actions and conduct had the appearance of a concerted movement among the Mexican military forces and hostile nationals that were operating with them to drive the Americans out of the country, who were subject to the command of Gen. Jose de La Luz Blanco, and they informed him that the plan of the Mexicans was to drive the Americans out of Mexico and own their property and homes, and that they described to him certain concessions

called a meeting of the citizens, and the meeting was held in one of the American's houses. I will quote from his statement:

While they were holding the meeting in the American's house the house was surrounded by about 75 soldiers in hostile mood and commanded by Col. Lino Ponce, who was subject to Gen. Salazar. He gave them but a few moments to decide, and at the same time a force of about 50 soldiers were drawn up in hostile attitude in front of the Union Mercantile Co.'s store. Another force of about 400 soldiers was drawn up in line in hostile attitude in the western parts of the town, and another force were unloading cannons at the railroads and training them on American homes.

Those present at the meeting, seeing the forces against them, decided to advise the people to deliver up their guns; and as they emerged from the house each one, as the witness stated, was covered by a rifle until they began to deliver the guns. The guns were delivered to Gen. Lino Ponce, and in receiving those guns now and then he made an occasional sarcastic remark.

The testimony also shows that when the army came in and invaded the town some of the soldiers gathered in the saloon, I think—at all events it was a building—and were talking over the situation. Some of the Americans were in the place and heard them. They understood Spanish. They said they were going to ravish every American woman from 8 years up, as he places it here, "women and girls," but I remember that that was the testimony of a number of witnesses.

Mr. KEARFUL. What effect did that have upon the exodus of people?

Mr. BARTCH. They reported the circumstances to the other people, and the vicious attitude of the soldiers in destroying other property of Americans and the abuse they were giving to the people satisfied them that they were in danger. They at once got together and decided to send all the women and children out of the country on the next train. That was on the 28th of July, 1912. But when they got to the station, there was no building there, but where trains stopped, the train that came in was already overcrowded with other Americans fleeing from other towns, and they could not get on. They then laid all night at the railroad waiting for a train. Another came along, as I now recollect, about 9 o'clock, possibly 10, a mixed train, consisting of a few passenger coaches and the balance box cars, and they all boarded that train with an escort of men and left. They were not permitted to take anything with them except what they carried in their arms. After that train left the railroad was torn up. They had not sufficient clothing and effects with them to make them comfortable, and a committee waited upon Gen. Salazar and appealed to him to permit them to take some of their trunks and effects by wagon overland to make their families comfortable, but he obstinately refused to permit them to take anything.

Mr. KEARFUL. What became of those people, if you know, when they arrived in the United States, at El Paso?

Mr. BARTCH. They lived in tents, the most of them.

Mr. KEARFUL. Did they have means with which to provide for themselves?

Mr. BARTCH. No; as I recollect it now, the United States Government furnished them about \$100,000 to aid them while there. I don't know that I ought to give my opinion on that. My own thought was that they ought to have made an appropriation sufficiently large to hold them in Mexico and protect them.

Mr. KEARFUL. Can you give a description of the outrages that were perpetrated on the inhabitants of those various colonies?

Mr. BARCH. Well, on the night of the 28th of July, when they were there, it is clearly shown that the women and children were abused and insulted in the most shameful way, so that when they were left they were perfectly terror stricken. Now, that incident occurred on the 29th of July.

Now, in answer to your last question, I will endeavor to give the condition of the other colonies at the time they were driven out. The Americans were driven out of Colonia Diaz on July 28, when the army appeared in Colonia Dublan. Some of the Americans at once sent out couriers to all the other settlements to tell them what was going on. They learned that they were going to send detachments of soldiers to all of them, and the couriers described at Colonia Diaz what had taken place at Colonia Dublan, and a detachment was then on its way to that town, and they got out by the time the army arrived there.

Another detachment of the same army was sent to Colonia Juarez, and invaded Colonia Juarez on the 29th of July. The women and children were also sent to the United States in safety.

I should say, with reference to Colonia Dublan, that after the women and children had been sent from the town, the men, except an escort, remained there to try and protect their property, and they were there on July 30 and 31. In the meantime, the soldiers had been destroying their property at random, as they saw first, broke into the houses, smashed their furniture, and appropriated their belongings. On the 1st of August they learned that they were about to determine what they were going to do; that is, the Mexican soldiers were about to determine what they were going to do, and they became fearful of the result. They gathered the people together in the nighttime, and early in the morning they started from town to go into the mountains, where they could protect themselves, and they succeeded in getting out of the town, but when they got out a distance of about four or five miles, some of them observed there a dark cloud in the road, something like a cloud of dust. They detailed a detachment to wait and ascertain what that was. Pretty soon the soldiers came in sight, and finally within shooting distance. As soon as they got within range of the rifles they began to fire upon the Americans, and they divided into two or three columns, trying to capture them. The Americans then headed forward to those comrades in advance, and did not return the fire until one of them was hit in the leg. The bullet, however, was spent and did not break any bones. Then they delivered their guns; they had secreted some of their best rifles and ammunition, and had taken those with them. They then stopped and opened fire on the Mexicans. As soon as the Mexicans found they were armed, they stopped and retreated.

Now, it does not show, it does not appear whether or not they killed any of the Mexicans. I take it, however, that they did, from the fact that Gen. Salazar, in his speech in Colonia Morelos stated that they had killed some of the Mexicans, and that they should pay or words to that effect.

Then then went to a place called "Estajos" in the mountains, which was very difficult of access and where they could protect them-

selves, and send couriers to other towns, to the men who were remaining back to meet them there and they would leave the country together.

But they were advised of another speech of Gen. Salazar in the evening, in which he stated that they had slipped through his hands this time. "They have slipped through our hands this time, but we will get them yet." Then they sent two couriers to Hachita, New Mexico, and to El Paso, to advise their families where they were, and to look for the best route they could get, so as not to come in contact with Mexican military forces. I should say that these scouts were to return to town. After that speech, however, they left, and on the way back the scouts learned that Generals Salazar and Blanco were in the town of Ojitos, where they had a force of about 3,000 soldiers. They related to them what had occurred and how they were driven out of Colonia Dublan, but neither of them concerned themselves about it. They received their appeals with indifference, and neither offered or gave them any help.

Mr. KEARFUL. These officers you mention were federal commanders?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Under Madero?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. And the others who had committed the depredations were rebels under Orozco?

Mr. BARTCH. Yes, sir. The number of rebels at that time in all that region, as near as I could determine, as the witnesses stated, was about 1,700. So that the federals had a force sufficiently large to protect the colonies, if they had wished to do so.

Now, to further show their attitude I wish to refer to the affidavit here of Derenda B. Farnsworth, filed in the case of Gaskell Romney, which contains a copy of a letter of Gen. Blanco wrote to Mr. Farnsworth. Mr. Farnsworth knew him very well. Shall I read that letter?

Mr. KEARFUL. If you think it is important.

Mr. BARTCH. I think it is. It reads as follows:

EL PASO, TEX., *July, 1913.*

Mr. D. B. FARNSWORTH.

DEAR SIR: In response to your inquiry I have the honor to say that Gen. Santinez and I left Agua Frieta on or about July 2, 1912, on our way to Casa Grandes, arriving at Colonia Morelos on or about July 4. We went from there to Colonia Oaxaca, and I left Oaxaca about July 7, 1912, arriving at Ojitos about six days before Gen. Santinez, who arrived there about July 17, 1912, with 750 well-armed and well-equipped Federal military soldiers, 600 of which were mounted cavalry and 200 were armed infantry. We had with us two extra good cannons, Schmerder-Canet of 75 millimeters, two well-operated machine guns, two fusilez, reccor, with plenty of ammunition for the same as well as plenty of provisions for the men. Our men and horses being fresh when we arrived at Ojitos, I was anxious to go back and protect the colonies, but Gen. Santinez decided to stop there, and we remained until the 28th of July, 1912, when we were attacked by Gen. Salazar's combined forces from Casas Grandes.

That was one of the forces that had operated there.

Mr. KEARFUL. Operating against the Americans?

Mr. BARTCH. Well, I don't know whether it is the same force, but he had charge of the entire army there.

We easily repulsed their attack, pursuing them into within 20 miles of Casas Grandes, having taken their provisions and all their artillery, which consisted of five pieces. We remained at Ojitos until about the middle of August, when we started for Casas Grandes, arriving at that point about the 15th of August, 1912.

Respectfully, your friend,

JOSE A. BLANCO.

From that it appears that their army was there all the while these depredations were being committed.

Mr. KEARFUL. Was there any defense of the attitude shown by the Federals or the rebels at any period?

Mr. BARTCH. Not that I ever knew of.

Mr. KEARFUL. Do you recollect that during the time of Madero permission was given by this Government for the troops of Madero to go through the territory of the United States in order to attack the rebels under Orozco?

Mr. BARTCH. Yes; I remember that. I remember that very well.

Perhaps I would get this in better order if I would now proceed to give the rest of these outrages in accordance with the line on which I started out.

Mr. KEARFUL. Very well.

Mr. BARTCH. The army invaded Colonia Garcia on July 31, 1912, and the women and children were sent to the United States on that day, the men remaining to try and protect their property. On the way returning from the railroad station the men who had taken the women and children to the station were intercepted by the army and disarmed, and then the army proceeded to the town to disarm them there. They remained there a couple of days to see whether they could protect any of their property, but were finally notified that they were in great danger, that the officers had made serious threats against Americans, and they left in the night and finally also reached the United States.

I should say further, in regard to Colonia Garcia, after they had broken in the homes and seized, destroyed, and appropriated what property they wanted, and had generally devastated the town, a detachment of them proceeded to a large reservoir in the canyon above the town, where they deliberately blew up the dam with dynamite, releasing a large amount of water which rushed down the canyon and destroyed all the mills and buildings that were erected along the stream.

A detachment of the same army invaded Colonia Pacheco on the 29th of July, 1912, and the women and children were also sent away to the United States in safety, and the men were driven from that town on August 3.

Another large detachment of the army proceeded to Colonia Chuachupa. It was a very hostile army, according to the evidence, and a courier was sent to that town to advise the Americans to flee at once before the army reached them. The women and children were taken to the station, and the men that took them there with their guns were disarmed. All except the scouts remained at Chuachupa to try to protect their property. About the 1st of August another courier was sent there to advise them to leave the town immediately, that they were in danger. The parties that were still there gathered up their saddle horses and what provisions they could and hid them

in the mountains, and then several of them appeared at the top and watched the army as they came into the town through field glasses.

When they arrived at the town they went in squads from house to house—American homes—broke in the doors, devastated the homes, smashed furniture, turned the horses into the garden, tore boards from the buildings, and built bonfires in the yards of Americans and in the streets with the furniture that they broke up and fence material and boards they tore from the buildings and fences. There were some friendly Mexicans there. The Mexicans kept the Americans advised of what was going on. The Americans remained there until August 6. The friendly Mexicans finally told them that they were searching for them, and if they found them they would kill them, and advised them to flee. Before going, they sent two of them to town—William E. Williams was one of them, as I recollect the evidence—in the nighttime, when the soldiers were all asleep, to ascertain what the real facts were and the devastation that had been committed, and they in a quiet way went to the different homes and saw that they were devastated and plundered, as they had seen through the field glasses. They then gathered the horses and provisions together that they had secreted and started overland for the mountains, and as they passed over the ridge near Colonia Pacheco they said they saw quite a large force of soldiers in the town who were occupying the homes of Americans that had been deserted. They thought there were about 500 in that military force.

They then proceeded on the way to the United States, and some distance from the town of Ojitos they met Gen. Blanco with an army of about 1,500 soldiers, and had a conversation with him. They told him what the rebels had done, and said that he listened to them with marked indifference, and told them they had had similar reports from Americans who had fled from Colonia Juarez and other towns, and said that Gen. Santinez was about 20 miles distant and had also about 1,500 soldiers, but gave them no satisfaction whatever, and made no effort whatever to protect them. They then proceeded from there to the United States.

Mr. KEARFUL. Did the United States make any effort to protect them?

Mr. BARTCH. None whatever, so far as the evidence shows. They were driven from their homes, many of them penniless and without sufficient clothing and material to make them comfortable. When I was taking the evidence of a good many of them, they were living in tents over in Tucson, Ariz., and in covered wagons. I remember one scene that impressed me quite forcibly. I had a lady client, and she sent me word that she could not come to town, and so a gentleman took me down to her home, and when I saw her, I saw that she had seen better days. There was considerable refinement about her, and she was standing at a washtub, washing, doing that to support, I think, a family of six children. She was a widow, had lost everything in Mexico. She has a considerable claim against the Mexican Government. I saw a number of those, and the manner in which they were treated and the way in which they were left was shameful.

Now, the Army, after they were through with the colonies of northwest Chihuahua, then marched over the Pulpito Pass into Sonora. The people that were driven out of Colonia Dublan sent

an emissary to those colonies, H. S. Harris, to inform them of the character of the army and to advise them to flee the country. He appeared at Colonia Morelos the first of August. I do not remember the exact date. I recollect the testimony pretty well, however. They called a meeting and he told them what they had done in Colonia Dublan and other towns, and advised them to flee from the town before the army arrived. They sent a courier, James W. Ray, to watch the movements of the army, and he located where they were, and then proceeded to Agua Prieta to confer with Gen. Santinez, for the United States Government had permitted the conveying of troops across American soil from El Paso to Douglas and then across the border to Agua Prieta, and he was encamped there. He told him where the army was, and asked him to protect the colonies.

As I recollect it, that was his mission, to protect that country, and I take it that the reason that the United States Government permitted him to pass through on American soil was because that was the purpose of his doing so.

He made no effort whatever to furnish any protection. He remained there, permitted the army to cross the mountains, and on the 12th of September they arrived at Conolia Morelos. The army of Gen. Antonio Rojas passed within five or seven miles, I think, of Gen. Santinez's army. They also proceeded to Colonia Morelos, arriving there on the 18th of September.

Mr. KEARFUL. Rojas was the rebel commander?

Mr. BARTCH. Yes; and so was Salazar at that time.

Mr. KEARFUL. And Santinez was the Federal commander?

Mr. BARTCH. Santinez was the Federal commander. A committee also waited on Gen. Santinez trying to get him to protect the colonists, but they could make no impression on him. On the way to Colonia Morelos, on the morning of the 11th of September, 1912, Gen. Salazar had scouting squads out to apprehend Americans that might be returning to Mexico. Four Americans who had fled from Colonia San Jose, after locating their families in Douglas, returned to get some of their horses. One was Moroni Fenn and Preston H. Jones was another. I think Moroni Fenn had secured two and the others had secured several of their horses. About 7 o'clock in the morning one of those squads apprehended them and arrested them. They at once took everything they had and marched them before Gen. Salazar at a ranch there. I don't remember the name of it. It is a peculiar name. It is between Agua Prieta and Colonia Morelos. The general at once gave his men orders to guard them and not let them get away.

They then took them before an army of about 800 men and marched them back to Colonia San Jose, without anything to eat, and when they got to Colonia San Jose, they rifled Mr. Fenn's house, one of the first, killed the chickens, about 200 of them, smashed his furniture, gave flour and things that they had to the Mexicans, and did not give them anything to eat all day. When they killed the chickens they even wanted a small piece of those chickens, and they told them they might have that. Then they encamped and looted the different homes during the night, and secured poultry and whatever they wanted. Gen. Salazar made a speech to a large meeting of soldiers and nationals.

Mr. KEARFUL. Have you a report of that speech?

Mr. BARTCH. I have, of extracts of it. The American prisoners were under threat of death all the while, and they abused them in the army in marching them, and made no effort to protect them at all. In the speech he said:

"Your President, Howard Taft, is a vile dog, a low-down coward. Your Nation is rotten. The Americans took the territory of Mexico—Arizona and New Mexico—by treason and now they are going to pay for it with big interest compounded. We are going to run all the Americans out of Mexico. We will kill those who do not run before us. The plan of our revolution is simply to run the American dogs out of this country, confiscate their property and divide it among Mexicans. There is no liberty for us. Porfirio Diaz gave them our lands and favored them, despising us. Times have changed. Mexico is for the Mexicans and the United States for the Gringos. Formerly they were the owners of this country and they made us slaves and killed us. Now we are going to kill them or run them out of the country. We have executed their men, we have ravished their women, we have insulted their men and their women in every possible way to force them to take up arms and fight us. They do not fight because they are cowards and afraid of us. Their own Government despises them and abandons them, and dares not protect them, and orders them to run away and escape.

In Colonia Dublan and all the other American colonies in Chihuahua we have taken all the homes from Americans, killing some of them, and we have outraged their women, seized their lands and their houses, and all of their property, and we forced them to flee from the country with nothing but the clothes they had on. But they do not wish to fight and run like dogs. We will not let them return. We will kill all who try to return to their lands. We divided their lands and their property among Mexicans, and now they have nothing to return to Mexico for. We are going to do the same here in Colonia Morelos, Colonia San Jose, and Colonia Oaxaca. We are going to divide all the property among you Mexicans among those who swear to kill every Gringo that returns here.

The general also stated that when the Americans were fleeing from Colonia Dublan they shot at his soldiers and killed some of them, and that he was going to get revenge on them for it. The affiant states that he afterwards learned that when the Americans left Colonia Dublan they were pursued. I have already stated about the soldiers who fired on them. That was the first that the witness knew anything of that, and from that I take it they probably did hit some of the Mexicans.

The general also stated that President Porfirio Diaz had given the Americans the title to their lands falsely, and that the lands really belonged to the Mexicans and that now things had changed and that Americans would have to suffer the consequences, and repeatedly stated that Mexico was for the Mexicans, and that all the Americans would be driven out and their property confiscated and divided among Mexicans, and referred to Americans as "gringos," "perros," and "cabrones," and using other vile epithets to characterize them. He said that what they were fighting for was to drive the Americans all out of Mexico and secure the freedom of the country. All the while the prisoners were under threat of death, and were compelled to remain submissive and listen to his speech. The large crowd of Mexican soldiers and nationals surrounding them frequently shouted "Viva Salazar," "Muera los Gringos," "Viva Salazar, Chinga los Gringos."

Then, after he had finished his speech, he said to his soldiers: "Take care of them and guard them all night and do not let them get away."

Mr. KEARFUL. What reason did you find to believe that that speech was correctly reported?

Mr. BARTCH. Mr. Fenn appeared to understand the Spanish language very well; talked it fluently, and he was corroborated also by Mr. Jones, Preston H. Jones, and, I think, he stands well as a citizen, as far as I can ascertain. I made some inquiries about him. He said that it impressed him so, while he was making the speech, that, expecting to be killed, he made notes of it afterward, immediately afterwards, and put down these statements. Of course, he had quite copious notes of what he states, but I did not take any more than I have given.

Mr. KEARFUL. Do you believe the speech of Salazar was reported with substantial accuracy?

Mr. BARTCH. I do. I would not have permitted it to go on the record if I had not satisfied myself as to that. You will also notice the speech is in line with what so many other witnesses state was his speech, and his conduct and actions.

Of course, in my statement here, that is based on the evidence that I heard. It is understood that I was not one of the parties there. I can only speak from what I have heard from the witnesses.

Mr. KEARFUL. You have had considerable experience as a judge of a court, have you not?

Mr. BARTCH. Yes.

Mr. KEARFUL. Of what court?

Mr. BARTCH. Of the Supreme Court of Utah.

Mr. KEARFUL. For how many years were you judge of that court?

Mr. BARTCH. I was nearly 14 years on the supreme bench. I was on the bench there, though, about 17 years altogether. I was appointed first by President Harrison.

Mr. KEARFUL. On the Territorial bench?

Mr. BARTCH. On the Territorial bench, and then I was reelected, and reelected after statehood, and finally resigned as chief justice on October 1, 1906, and went back to the bar.

Mr. KEARFUL. Did you pursue the same methods in making this investigation that you did as a judge of the supreme court?

Mr. BARTCH. In examining witnesses?

Mr. KEARFUL. Yes.

Mr. BARTCH. I did. I examined them with a great deal of care.

Mr. KEARFUL. You conducted your examination judicially and with a judicial mind? You did not undertake to conduct it in a partisan way, did you?

Mr. BARTCH. No.

Mr. KEARFUL. But only to get at the truth, as a judge would do?

Mr. BARTCH. Only to get at the truth. I might say that some statements were made that I did not permit to go in the record. They were absolutely unmentionable.

Mr. KEARFUL. You mean statements describing the acts of the Mexican soldiers?

Mr. BARTCH. Their acts and conduct.

Mr. KEARFUL. In reference to their attacks upon women?

Mr. BARTCH. Yes.

Mr. KEARFUL. Did you do that because you believed the statements to be untrue, or because they were too outrageous to be in the record?

Mr. BARTCH. I did not, sir; they were unspeakable.

Mr. KEARFUL. You did not believe they were untrue?

Mr. BARTCH. No; on the contrary, I believed they were true from the character of the men who made the statements.

Mr. KEARFUL. What information have you as to the attempted return of some of the colonists to save some of their property, and what happened to them after they returned?

Mr. BARTCH. Well, I think the most of them were driven out of there; had to leave, on account of the acts of violence continuing and the unsafe conditions. Some of them were killed, and various outrages committed.

Mr. KEARFUL. Did these colonists make any representations to the authorities at Washington for the purpose of getting protection?

Mr. BARTCH. That I could not say. I did not go into that subject. There is one case where they did; the case where four were killed in the town of Alamo.

Mr. KEARFUL. In Lower California?

Mr. BARTCH. In Lower California. I remember that. They appealed to the consul, but they did not seem to be able to do any good.

Mr. KEARFUL. They made those appeals to the consul while these depredations were being committed?

Mr. BARTCH. Yes, sir. I recollect that in the case of Mr. Arthur Evans, who was imprisoned at Ascencion, that there was an application made to the department, and the consul was instructed to look into the matter and investigate it.

Mr. KEARFUL. Do you know whether the same anti-American attitude existed on the part of the Carranza revolutionists that existed before? Has there been any change for the better under the Carranza government?

Mr. BARTCH. I know of no change.

Mr. KEARFUL. You have heard about the Carranza doctrine, have you not, which was epitomized by the expression, "Mexico for the Mexicans"?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Is that the same old cry of "Mexico for the Mexicans"?

Mr. BARTCH. Yes, sir; all the way through.

Mr. KEARFUL. Have you any reason to believe that the American State Department had knowledge as to the depredations that were being committed and the plan that had been inaugurated against the Americans down there?

Mr. BARTCH. I do. I believe they had it in many instances. I take that to be true from the fact that the Secretary of State, in reply to a note from Carranza in May, 1916, I believe it was the 22d of May, 1916, wherein he made some charges against this Government, and in reply, which was submitted to the Mexican Government about the 20th of June, the Secretary of State enumerated a number of instances of atrocities that were committed, and I noticed that I had taken evidence respecting, I think, about all of them. I would not be positive whether all or not, but I know in most of them, and also some that he did not mention. I take it from that that they had knowledge of many of those atrocities.

Mr. KEARFUL. Have you filed with the State Department copies of the proceedings showing the testimony that you took in your investigations?

Mr. BARTCH. I have filed the final documents, consisting of memoranda and depositions, in 115 cases, I think. One of those, however, is an English case, which I prepared under the English law. That is, I had them filed through my associates here in Washington. I prepared the documents.

Mr. KEARFUL. Are you able to state the number of American Mormon colonists who were driven out of Mexico from these various colonies you have mentioned?

Mr. BARTCH. I could not state the exact number, especially of the Mormons. There were some who were not Mormons. Some of my clients were not Mormons.

Mr. KEARFUL. You are not a Mormon yourself, are you?

Mr. BARTCH. No; but I take it that there were several thousand of them. It occurs to me I saw somewhere there were about 4,000 driven out of Mexico from those colonies, but that may not be correct. I did not take the number in the evidence.

Mr. KEARFUL. As far back as June 20, 1916, judging from Secretary Lansing's note to Carranza, you think the American State Department has had full knowledge of the anti-American outrages in Mexico, do you?

Mr. BARTCH. And their knowledge extends previous to that time.

Mr. KEARFUL. But certainly since that time?

Mr. BARTCH. Yes, sir. Of course, there might be some, such as I gave you yesterday. I could not say whether they had any knowledge of that or not.

Mr. KEARFUL. Do you know of anything being done by the American Government in any case for the protection of American lives or American property or American rights in Mexico, other than the writing of notes?

Mr. BARTCH. I know of nothing effective that has been done. There have been instructions given in our notes from the President to the consuls and officials in Mexico, but to my mind they were not effective.

Mr. KEARFUL. Nothing has been done aside from correspondence, has there?

Mr. BARTCH. Not that I am aware. There is one case that it might be well to refer to, showing that the Mexican Government, from the executive down, had knowledge of what was going on as to Americans.

Mr. KEARFUL. What was that?

Mr. BARTCH. I refer to the case of Ingwald C. Thoresen. Mr. Thoresen, about 1905, went to Mexico to make an examination respecting the beet-sugar industry in Mexico. He examined various districts in the State of Mexico and elsewhere, and in about 1906 he became convinced that that industry could be established there. He had interviews with President Porfirio Diaz, according to his evidence, and laid his plan before him, and Diaz approved of it. He engaged experts to make examinations of the soil, and purchased beet seeds, distributed them among the natives, and his experts taught them how to plant and cultivate the beets. Then he

had analyses made of the beets, and through the Mexican Government analytical chemists, Prof. Foex, who made an extensive examination in the State of Mexico, Puebla, I think in Jalisco, Sonora, and Chihuahua, and several other States, with a view to the climatic conditions; the soil, the sites for factories, and the cost of production, labor, and whatever would enter into that kind of an enterprise. Diaz encouraged him and told him that the Government would give him a concession on the best terms that they could.

In 1908, I believe it was, in the spring, he organized a company under the laws of Arizona, capitalized at \$2,000,000, and he engaged Dyer & Co., of Cleveland, Ohio, to make plans for the initial factories, at a contract price of \$10,000. He made a formal application, and afterwards made a final application for a concession, and was granted one. The concession, I think, was granted July 4, 1906, and he was then given a period of two years in which to put them into effect and prepare them. He paid in stamps \$254.30, United States currency, put up \$5,000 Mexican 3 per cent consolidated internal-debt bonds. Those were the same character of bonds that I spoke of before that were deposited, in reference to this railroad project. That was at the expense of \$2,500 United States currency. His plans were submitted and approved by the Mexican Government within the time allowed, and he continued his explorations, and finally his expert chemists made an analysis that showed that Mexico produced an excellent grade of sugar: that there was no country in the world that produced beets that contained a higher per cent of saccharine matter and pure sugar than Mexico.

He submitted his data and plans to capitalists and they pronounced them feasible. Among those capitalists were representatives of Mr. Harriman, the railroad magnate, and bankers in Utah. He continued negotiations: some of them finally became interested in the project. He carried on the negotiations with them until September, 1910.

He kept his experts in the field. During 1907, 1908, and 1909 he made preliminary examinations of sugar factories in the State of Idaho, devoted his time to the enterprise, and in September the capitalists got together and fixed the day as the 25th of November, 1910, the day they would finance the first factory, and they began this factory.

The concession that he had procured from the Mexican Government was quite favorable. He could erect factories anywhere in Mexico, and it permitted him to take in duty free all of the material from foreign countries, and also exempted it from taxation for a certain number of years—I think it was about 10 years. The experts who filed affidavits in his case, some of them fixed the value of the concession at \$2,000,000. Hon. H. H. Ralapp, who was at one time associate justice of the Supreme Court of Utah and was at the head of the sugar business in the United States, stated in his testimony that he thought it was worth \$5,000,000.

Mr. Thor Cutter, one of the ablest experts on sugar in the country, also made an affidavit in that case, and said it was worth at least \$2,000,000. The data he secured showed the Mexican Government that in that line of business the country is susceptible of great resources, and, of course, the data was of immense value to the Government.

Now, after they had fixed the day as the 25th of November, the revolution broke out in the early part of October, and the revolution at once attained such proportions that the capitalists were unwilling to put up the money until peace would be restored, and they then postponed the day for that. He made application for an extension of time, setting up the reasons growing out of the revolution. In his concession contract there was a clause that in case of any disturbance or any impediment that might be created by superior forces over which he had no control the terms of the concession might be extended, or should be extended, for a time equal to the impediment and for about two months longer. There was another clause in article 23, that no forfeiture should be declared without a notice to the concessionaire to make a defense. On the ground of impossibility of his proceeding to construct the initial plan with the time limit, the chief authorities of the Mexican Government granted the extension; and in that way held the concession good until the 12th of January, 1913.

They had made a promise that they would extend the time of the concession until peace would be restored so he could proceed. He relied on that promise and on the extensions that had been granted previously. Before the last extension expired on January 12 he again made application to the chief executive for another extension. In the meantime he had also applied to the Mexican Government to transfer the concession to a company that he had organized in the State of Arizona, and to have the Mexican Government approve of it. There was nothing in the concession to prevent that. Under its terms he was entitled to it. But he was informed that the Government had made a ruling that only Mexican corporations could acquire that kind of property and they refused to approve of the transfer.

The capitalists then, not being willing to convey the rights that they had acquired to a Mexican corporation, which would bar them from appealing to this Government, sold this concession to Mr. Thoresen, and he became the sole owner. He still kept on, as I have stated, getting extensions, until his last application, made in the latter part of December, 1912, relying upon their promises and the several clauses in the contract providing for its extension. Instead of giving him any notice whatever they canceled the concession about the 15th day of January. The time of the extension had expired on the 12th.

MR. KEARFUL. 1913?

MR. BARTCH. 1913. At that time the whole country was in a state of insurrection that rendered it impossible for him to do anything. The plants were located in the Texcoco district, not far from Mexico City, and the country became in such a chaotic condition that a battle occurred in Mexico City about the early part of February, and Madero was deposed on February 19, and finally shot on February 22, 1913.

Now, they canceled that deliberately, as the testimony shows, in the face of those provisions of the contract, in violation of the contract and without any notice to him whatever, and declared a forfeiture of his bonds and all of the money and property that he had. That was done by the chief executive, through his minister of fomento, right from the head of the Government. He had no re-

course. The courts at that time and almost during the entire revolution were under the control of the military. Appeals of Americans to the courts were useless. As the witness clearly states, the officials, military, civil, and judicial, were imbued with the same anti-American sentiment that actuated the military forces in acts of violence.

Mr. KEARFUL. In your investigations were there instances given of the futility of appeals to the court for protection?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Was any protection ever afforded to these Americans who were outraged?

Mr. BARTCH. In none of the instances that I have on record. In fact, that is quite an interesting subject, and there are numerous instances to which reference can be had, and also with regard to the threats that were made, and afterwards executed, threats of violence and death.

Mr. KEARFUL. Is there any place outside of the State Department where the documents showing the results of your investigation can be found, in case the committee or other Members of the Senate who are interested wish to examine them as to details?

Mr. BARTCH. They can be found with Lexkie, Cox, and Sherier, Southern Building, Washington, D. C.

I should have stated in connection with this concession that the concession contained a clause that all disputes arising between the concessionaire and the Government should be adjudicated in the Mexican courts. While a concession of that kind can not bind a foreign Government, still in that case the chief executive of the nation, through his minister of Fomento, canceled the concession, and declared a forfeiture of the bond without any reference to the courts whatever, also violating that clause of the contract.

Mr. KEARFUL. Has any effort been made to have that matter adjudged since then?

Mr. BARTCH. No; not through my client. It would be utterly useless. As I have already stated, in the first place, under Porfirio Diaz they had a good government. That was overthrown. The rebels then became the Federals, under President Madero. The government of President Madero was overthrown, and the rebels again became the Federals, under Carranza.

Mr. KEARFUL. First under Huerta.

Mr. BARTCH. First under Huerta. Huerta was forced to abdicate, and then Carranza became the President. The country during all the time was in a state of turmoil. It finally drifted into a state of chaos. The courts were under the influence of the military. Under those circumstances I know of no principle of international law that would require an alien who was injured to apply to the courts. In the case of Mexico in my own judgment, especially through northern Mexico, it would be useless, and the courts do not require a useless thing to be done.

Mr. KEARFUL. This committee is proceeding under a resolution requiring it to report its recommendation as to what, if anything, should be done by this Government to prevent a recurrence of the outrages such as you have related in Mexico. What do you think should be done, if anything, to that end?

Mr. BARTCH. This Government ought to proceed at once to appoint an international commission, if it deems the Mexican Government of sufficient stability to warrant it. If not, it ought to appoint an American commission to adjust the claims that arose through the outrages in Mexico, and then compel the Mexican Government to pay those claims. In cases where the Mexican Government permitted outrages to be committed against American citizens, they ought, in addition to the payment of those claims, compel the payment of such indemnities as would deter that Government in the future from permitting such outrages to be committed. That could be done on the ground that many of the outrages that were committed in Mexico were an affront to this Government, as well as an injury to its citizens. I think, in an examination of the principles applicable under the law of nations to that class of injuries, that that would be the proper course to pursue. Extremists have gone so far as to hold that where a foreign country permits its government to drift into a state of chaos, whereby it loses control of its forces, that it should be held responsible on that ground. Now, while it may be said that principle is too broad, and while it may be admitted that it is too broad, still I take it that the weight of authority is that the Government had a right to compel proper indemnity, not only to the individual, but to deter the foreign government from permitting such injury to be inflicted.

Mr. KEARFUL. But if the foreign country is in a state of chaos, what procedure could be followed to enforce the proposed indemnity?

Mr. BARTCH. Of course, the procedure would be to intervene.

Mr. KEARFUL. Take possession of the country?

Mr. BARTCH. Take possession of the country and establish a government. It would not necessarily follow that the country would be taken over, but I do think this: That it would be an act of humanity to the Mexican people themselves for this Government to go there and establish a proper government and to maintain a protectorate over it until such time that they can govern themselves.

Mr. KEARFUL. Do you see any other course that is open?

Mr. BARTCH. I do not. From the investigations that I have made I do not believe that the different warring factions in Mexico can get together on any one man. I do not mean to say they have no men to-day that could control that Government if they were permitted to do so; that is, who have the intelligence to do it. I wish to say that in my acquaintance in Mexico, I have found that, especially in southern Mexico, the Mexicans are susceptible of a high degree of culture, but they have no advantages. The only time they ever had a government that tried to raise them up at all was in President Diaz. If he could have continued long enough they would have finally worked out of that.

In my investigation in the State of Oaxaca, and examination of the ruins of Mitia, I noticed that centuries ago they must have had intelligent people, and, as I said, they were descendents of Aztecs. The ruins would show that they had a good deal of latent ability in architecture. In fact, I saw plainly in one of the ruins there, a building that had crumbled, some of the sculptured columns still standing there. It looked almost as though it had been put up recently, and the enamel just the same. That required intelligence at the time.

Mr. KEARFUL. Mr. John Lind thinks that the better class of Mexicans are in the north, and that the salvation of Mexico depends upon their success. Do you agree with him?

Mr. BARTCH. I do not agree with him. My reason for that would be this: In southern Mexico, as I say, they are descendants of that ancient civilization. They have been kept down. Diaz himself was simply a typical Mexican Indian, as you might call it.

Mr. KEARFUL. From Oaxaca?

Mr. BARTCH. Yes, sir. The term "Indian" is not a term used there as it is in this country. It has an entirely different significance, a different type of man. Now, I became acquainted with Mexicans there that were highly educated, and, I say, they are susceptible of a high degree of education if they have a chance. In northern Mexico we have a mixture. We have had in the west a great many renegades who committed crimes in the United States, and it is easy to go across the border. They could commit depredations in this country, steal cattle and commit other offenses, and go across the border, and before you could get any requisition papers they would be out of reach. The same way with Mexicans coming over to this country, flying back and forth. So you have a mixture there that you could not class as a pure-bred Indian you will find in southern Mexico; that is, when you take that class. Of course, you take the mountains there about Vera Cruz, the State of Vera Cruz, and in some places in Mishoacan, in the Sierra Madre and Sierra del Dur Mountains, there are people in there that could not be classed with the Mexicans generally. But I could not agree with that idea that the better class of people in Mexico are in the northern part.

Mr. KEARFUL. You do think that the Mexican people have the qualities, that, if they were given a chance, backed by the United States, for example, they could form a good government and be a nation of good citizens, do you?

Mr. BARTCH. I do. And I wish to state that, from my investigations, I feel that they, the better class of Mexicans, would hail the day when this country would establish a good government there.

Mr. KEARFUL. Do they say so openly?

Mr. BARTCH. Well, they dare not, but I have had Mexicans confer with me on that subject. In fact, before this on one occasion I was requested to come here to Washington, and had a long interview with some of those people. They regret very much that this Government did not do something for them. You take the Mexicans in the southern country, and they have many good qualities about them. It is useless to denounce them as a class. You can not say that Mexico is a thoroughly civilized country in the sense the United States is, but there are civilized Mexicans there who would like to have their country in the same condition that this country is, and I think it would be a great act of humanity for this Government to establish a civilized government in Mexico.

Mr. KEARFUL. Do you think this Government owes any duty to its own citizens, and not simply a matter of self-protection?

Mr. BARTCH. I certainly do. This Government has got 2,000 miles of border to protect. It is bound to keep its eye on the ports on the Gulf coast and on the western coast. They have very good seaports on those coasts. The port of Acapulco is considered the

second or third best natural port in the world, and in case of a foreign invasion this country, of course, would be concerned. At present this Government has no control over the part at Magdalena Bay nor the Gulf of California. Ships of considerable size can sail up the Gulf of California and land almost in the heart of this country, in Arizona. Why shouldn't this Government be concerned about Mexico? Why would it not be its duty to put that country in such shape that the two countries together could form one great council nation and be of assistance to each other? The railroads are here, the natural means to do it. You can construct a railroad so that you could connect Mexico with Canada and with Hudson Bay. Not only Mexico with the United States but Canada. It would be a great benefit to the whole country if Mexico would have a government that would be a substantial modern government, that would protect the rights of foreigners as well as their own people.

MR. KEARFUL. Are you prepared to give instances of murders and atrocities committed in the carrying out of the anti-American plan to which you have referred?

MR. BARTCH. Yes, sir.

MR. KEARFUL. Will you proceed to do so?

MR. BARTCH. Yes, sir. In the spring of 1907, sometime, A. L. Foster and three other men were killed in the town of Alamo, in Lower California. I examined a Mr. Church, who was one of the intended victims. They had five men in an adobe house at the outskirts of the town, and they had accused Dr. Foster of giving medical aid to rebels. These were federal forces that did that. The others were accused of having given information to the rebels of their movements. They had them in a room, and they took them out and lined them up against a wall. I am giving this from Church, who escaped. Church was imprisoned in the house, and he noticed an opening in the rear of the building, and he got out through that into the jungle, and as he left the house the shots went off that killed the other four. Then he came across the line, and he said he took the matter up with the State Department and had some correspondence back and forth, and then the matter was dropped. He used some pretty strong epithets against the United States—was very bitter against the United States, the flag, and everything. He had me promise I would not use the evidence unless it was necessary, and so I never did. I never filed the affidavit, but his story is a very interesting one.

On March 4, 1911, or about that time, a military force under Gen. Blanco invaded the ranch of Robert O. Grewell and seized a lot of his property. He appealed to the officer to return his horses, and he refused insolently. Then he overtook Gen. Blanco himself and appealed to him to return the horses so that he could pursue his business. Blanco, instead of granting his appeal, took him along with his army into the battle of Agua Prieta, and during the battle he got an opportunity to escape, and they took a snapshot of Blanco and got him in the picture, and after he escaped, the other side began to search the country for him to execute him because they thought he was a spy. In fact, both sides thought he was a spy. Then they began to commit acts of violence against his family, and he had to move them out.

In January, 1912, James N. Walker, an American citizen, was killed by Mexicans in his own home at Colonia Dublan. Several Americans investigated the case and found the Mexican who had killed Walker. They got the evidence, so that they said there was not any question about his guilt, and then went to the judge and reported the case. They brought the culprit in, and the court set the time for trial, and the American who had obtained the testimony against him appeared there. Then the judge held a secret conference with the culprit and investigated the case himself, would not permit them to testify at all, and discharged the culprit, and that was all that was done about the murder of Walker.

About the middle of June, 1912, Col. Rivera—some called him colonel and some general—appeared in Colonia Morelos with a force of 750 soldiers and camped in the yards of Americans and in the main streets of the town. They began to shoot cattle and chickens that were owned by Americans and leave the offal laying in the hot sun to putrefy. They kept on with their depredations, and in a few days another force of 250 more soldiers appeared under Col. Obregon, who also camped in the same way, and the depredations were continued. Afterwards, Gen. Santinez himself appeared with about 750 more soldiers, camped in the streets and in yards of Americans, and, as stated by the witness, if possible, the conditions were worse than before.

Mr. KEARFUL. Was he the general whose forces were permitted to go through American territory?

Mr. BARTCH. He was the general whose forces were permitted to go through American territory to protect the colonists.

And Mr. Charles W. Lillywhite appealed to Col. Rivera to remove the soldiers from the streets and yards to a place at the outskirts of the town, a very good camping ground, and his appeal was received with insolence and had no effect, but later Rivera removed a small group of soldiers immediately from the front of Mr. Lillywhite's house into another part of the street. Then their depredations and indecencies were continually committed until a committee of citizens waited upon Obregon and Rivera and were received with insolence, and they were permitted to continue in the same way. They were permitted to bathe in the nude in the ditches in the streets, right in the view of women and children, and polluting the water, so that the people had to carry water from about a mile distant for culinary purposes, remaining there about three weeks.

Another victim of threats by those forces was William Adams. His wife died in Colonia Diaz. Mr. Arthur Evans took several relatives and a friend over in an automobile to attend the funeral. They crossed the border at Palomas, and the officer in charge examined the baggage in the automobile and told them they could go on and travel anywhere in Mexico; that no written pass was necessary.

When they arrived at Colonia Diaz the relatives alighted, and Mr. Evans drove his car to one of the places of Mr. Sanford at Ascencion and retired for the night. After he had retired, Mr. Chides, the justice of the peace, who was also commander of a force of soldiers, appeared at the house and demanded to know where Evans was. They told him he was upstairs, and they called him down. He arrested him, then took him over to the adobe hut and

imprisoned him there, and Mr. Sanford also. In a few hours they released Mr. Sanford and allowed him to go. They held Evans there until morning, and then compelled him to take an armed guard and the justice of the peace over to Colonia Diaz to see the relatives and to see whether or not they had a written pass. When they got there they did not have the pass, and about that time Mr. Adams stepped up and wanted to know of Mr. Evans what was the matter. He told him they had arrested him because he had no written pass. He took the matter up and interceded for Mr. Evans, and the officer at once flew into a rage and drew his gun on him. He grabbed the muzzle of the gun, and with that he pulled his revolver out of his pocket, and while his daughter was trying to protect him he shot him. She was trying to protect Adams, her father. He shot him, and he was dead in about five minutes, as the evidence showed.

Then the officer ordered Evans to drive on to Ascencion and compelled him to drive at top speed over the ditches and rough roads, and finally his engine gave out. They drew their guns on him and threatened to shoot him if he did not get that engine and car to go. He expected to be shot every moment, as he stated. Then when they got pretty close to Ascencion a wagon came along, and they hooked on to that, and they took him over there and locked him up again.

The next day they took him to court without arresting the accused or the culprit, and there, surrounded by armed policemen and officers, the judge himself took up the case for Chides, the justice of the peace, asking Evans questions tending to exonerate him from the crime and to put the blame on Adams. Evans, of course, was terror stricken and tried to answer the questions as the judge wanted him to, but he failed to do so. They kept him there that day, and the next day they brought him in again and went through the same performance. The third day they brought him in and then permitted the culprit himself to examine him, and finally they drew up an affidavit in Spanish and had him sign that. He could not read Spanish, did not know a thing about what was on it.

Then about that time the officer at Palomas had got word from Mr. Sanford, who escaped at the time of the shooting, and told him what had been going on. He came over to Colonia Diaz and finally got Evans out. The evidence showed that he was completely frightened, and of course signed the affidavit trying to save his life. I should say in regard to Mr. Adams that the same officer had threatened to kill him before, and the threat was carried out.

Mr. J. D. Harvey was killed at his home by Mexicans without any provocation. A Mrs. James Mortenson lived in that vicinity, and several Mexicans with the same force appeared there, and she, as I was told in the statements from the witnesses, saw them coming and barricaded the door. They came up against the door and could not open it. They tried to burst it in. They threatened her with death unless she opened it. She opened the door finally, and then they ordered her to get dinner or supper. She prepared the meal and told them it was ready now. She then took a coffee pot and turned to go to the stove, presumably to put more water in it, and while she did so they shot her in the back and killed her. The little girl escaped.

Marina Scott was also killed at the same place.

On August 1, 1912, a detachment of about 25 soldiers appeared at the home of Joseph I. Clawson, in Colonia Dublan, and forced their

way into the house. He was in the room. His family had been driven out on the 29th of July previous. They told him to leave. He said, "No: this is my home." The captain told him, "This was your home once, it is ours now, you will have to leave." He still insisted on staying. He ordered his men to take aim at him, and they all took aim, and he said he looked up those guns and into their faces and he saw it was all up with him. The captain told him he would give him one more chance, and he told him to give him time to put on his coat, and he did, and he left. He said there was a gang outside looking over his home. He had a fine home there. Before he got away any distance he said they had a free fist fight there in front of his house to determine who should have that place.

Joshua Stevens was killed about August 26, 1912. He had persisted in remaining there, after the Americans had been driven out, to take care of his property. **The Mexicans appeared one day at his home, and he had several daughters there, and the way his statement showed their object was to molest those daughters.** They were out in the field, and he was there, too. He went down there with them and talked with them. Then they started on down together, and as he went along one of them turned around and thrust a dagger into his breast, and they left him. I think he shot one of them, as I recollect it. But by the time the others got there he was dead, and the other one escaped.

Now, in none of these cases was I able to find that any of these culprits were punished, or that the Mexican Government made any reasonable effort to apprehend or punish them.

On September 18, 1912, when Gen. Salazar invaded Colonia Morelos, Daniel H. Schnall and several companions remained there to care for their property after their families had been driven out. The soldiers at once went from one American home to another and looted and pillaged them. Schnall and several companions approached Gen. Salazar and asked him to prevent his soldiers from pillaging their homes and destroying their property, saying that they would be willing to furnish them flour and provisions that they needed if they would not destroy them. Instead of granting their request, he held them there under duress while he went into the store and ordered the clerk—that happened in front of the store. He had a number of soldiers drawn up in line in front of the store. He took him in the store and held him there while he ordered the clerk to tie up various articles as he designated them, to quite a large extent, and they carried them away, and when they were through they finally released them.

They had tied horses behind the store, and he went to get his saddle horse, and as he got the saddle horse a Mexican, one of the soldiers, stepped up and took hold of the reins and said, "That is my horse." Mr. Schnall said, "No: that is my saddle horse." He said, "You keep your hands off." He saw he meant it, and, of course, he walked away and they took the saddle horse. That night couriers were sent from Douglas to Colonia Morelos to warn them that Gen. Rozoran would appear there and they were in danger, and to leave the town forthwith for the United States. They got there in the morning about the break of day. Their saddle horses were gone and they got such horses as they could get, and about noon the army

appeared up over a hill, and as soon as they got in sight they began to shoot. They got on their horses in a hurry and got out and left their pack animals, and finally got into the brush and escaped to Douglas.

Gen. Avila, in the latter part of February, 1913, captured a number of Americans in Colonia Chuchupa and held one of them there for ransom in the sum of \$1,000, and threatened to kill him, but finally he turned over everything he had, and they let him off.

Afterwards, in the fore part of March, 1913, Gen. Rojas appeared with a command of soldiers and held William E. Williams and other Americans for ransom also to the extent of 100 head of cattle with a value of about \$3,000, and they turned over 90 head of cattle to get rid of him.

Findley Merrill, in the latter part of 1913, was hung up by his thumbs by a detachment of soldiers. They drew him up and let him down a number of times and punished him shamefully, and finally took everything he had. He turned over all his money and everything and they let him go. He had remained there also to protect his property.

In the spring of 1914 about 12 men and some women and children returned to Colonia Morelos to try to protect what property they could and cultivate their land. About April, 1914, the situation became very serious. The United States had taken possession of Vera Cruz, and they were preparing, under advice of this Government, to return to the United State for safety. They intended to depart in the nighttime, but the soldiers learned of their intention and then ordered them not to depart. They obeyed the orders, and in the nighttime they broke into their sleeping apartment where the women and children were lying and used all sorts of vile language, until the women were perfectly terror stricken. Then in the morning, after being warned that they should take no property with them, and being given to understand that the property they had belonged to Mexicans, and on pain of being killed, they should take no property with them, and if it was found they did they would kill them, they finally permitted them to go, and they came back to the United States.

When the President issued his proclamation in August, 1913—that is, the present administration—advising them to leave Mexico, it had the effect of aggravating the situation. The Mexicans taunted the Americans with the fact that their own Government would not protect them. The conditions simply became worse. It had that effect. It had the same effect as when President Taft advised them to leave the trouble zone, and again when the Secretary of State advised them to come out in 1914, about April 23, I think it was.

MR. KEARFUL. Those were orders, rather than advice, were they not?

MR. BARTCH. Yes, sir. They were proclamations, as I understood.

About August 27, 1914, Charles W. Witten and several companions returned to Colonia Garcia to see if they could not secure and protect some property and cultivate some of their land. When they got there they found that the town was occupied by a force of soldiers, and the soldiers found they were there. They had tried to conceal themselves. They at once arrested them, although they had passes from Gen. Ochoa, I believe was the name, and their passes were ignored.

They stated that they lined them up under the eaves of a house while it was raining very hard and kept them there for a considerable time, letting the water run onto them. Then they took them out about 4 or 5 miles from town and were going to take them to an officer higher up and see what would become of them. When they got there they told them they wanted to go to the United States, and after parleying with them a long while they took everything they had and finally let them go, on the condition that they left the country.

(Whereupon, at 6.45 o'clock p. m., the committee adjourned, to meet again on Thursday, March 6, 1920, at 10 o'clock a. m.)

INVESTIGATION OF MEXICAN AFFAIRS.

THURSDAY, MAY 6, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., May 6, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF G. W. BARTCH—Resumed.

MR. KEARFUL. You may proceed, Mr. Bartch, where you left off yesterday evening.

MR. BARTCH. I testified in regard to Moroni Fenn and others, and I wanted to refer again to that subject.

On the morning of September 12, 1912, Gen. Salazar made another speech of the same vicious character as the one made on the evening before. During the speech in the evening, while he was abusing and insulting Mr. Fenn and his companions, and the President and the citizens of the United States in general, evidently to impress upon his prisoners more forcibly his contempt for citizens of the United States, the general had his interpreter repeat his vicious utterances in English, although he knew that all of his prisoners could speak and interpret the Spanish language fluently.

On the morning of the 12th the army and the prisoners moved over to Colonia Morelos, they having been encamped at Colonia San Jose. There, under the command of Gen. Salazar, the soldiers and his officers, without disturbing a single Mexican residence, proceeded from house to house owned by Americans who had fled from the country in fear of his army, pillaged their homes, destroyed their property at random. Mr. Fenn and companions stated that they saw them break into the houses of American citizens, smash the windows, damage the floor and walls, break up the furniture, throw it into the street, shoot into the houses, cut and tear down fences and gates, utterly destroy the fruit, and generally devastate the premises, all the while saving harmless the property of Mexicans.

During his speech inveighing against the prisoners, the President, and citizens of the United States, he was cheered vociferously by his Mexican hearers. He informed them that the property of the Americans belonged to Mexicans and would be distributed to them. The Mexicans frequently appealed to him to give them American property. He replied to their entreaties by saying that the distribution

would be made later, that he had not time to do it then. He boasted frequently of having killed Americans, and of having driven them out of Colonia Dublan and other American towns in the State of Chihuahua, and his prisoners heard the soldiers boast of how they had ravished American women, and they declared, as the evidence shows, that if they caught any American women in that region they would make use of them.

These confessedly leading Mexican military officers and their armies committed offenses, abuses, cruelties, larceny, robbery, rape, murder, treachery, and other hideous crimes, Americans being the victims, with the barbarous design of running law-abiding citizens of a friendly nation out of Mexico, or of exterminating them, and then seizing and appropriating their properties, and all this with immunity from punishment by the Mexican Government thus far by this Government.

In reply to the question asked yesterday as to how many Americans were driven out of Mexico: When the Americans were driven out of Mexico they were, through the Mexican military forces and nationals encouraged by and operating with them, as shown by the evidence which I have taken, compelled to abandon all of their possessions, millions of dollars' worth of property, which had been lawfully acquired under the laws of Mexico while they were peaceably carrying on their business and maintaining a strictly neutral position as to the Mexican belligerents. They were so forced, through the acts of violence of the military forces, to abandon their homes and property, without any cause that I was able to ascertain except that they were American citizens, the hostile Mexicans being evidently actuated by race hatred, created by the military forces in accordance with the concerted plan to rid that country of Americans, and actuated by an insatiate desire for rapine and plunder and to acquire the accumulations and possessions of American citizens. It appeared that a hostile sentiment was created against foreigners generally, but was especially directed against the Americans, and rebel forces and federal forces alike were arrayed against the citizens of the United States in Mexico. All appeals to governmental officers were received either with indifference or with insolence, and no protection was granted. Mexican officers, civil, military, and judicial, in that region, appeared to be imbued with the same spirit that actuated the military in their violence.

The instances during the years 1911 and 1912 of the seizure, destruction, and appropriation of property owned by Americans are too numerous for specific mention; and the instances of the cruelty, abuse, and insulting Americans, including women and children, during 1911 and 1912 and thereafter, are likewise too numerous for specific mention. The testimony, however, which is on file in the Department of State of the United States, will show many of these instances, and the outrages which rendered the American families completely terror stricken and kept them constantly in fear of personal injury.

Counsel asked me yesterday respecting my opinion as to the Mexicans in northern Mexico and in southern Mexico. I wish to add to what I said that while there was a strong anti-American sentiment created by the military forces in northern Mexico, still there were

better classes of Mexican citizens who were of humane disposition, and were friendly to the Americans; but those who expressed their friendship in speech or acts were in danger of the violence of the military forces and the hostile nationals operating with them, the same as the Americans were. This, I take it, is true as to the friendly Mexicans, throughout the northern and southern portions of the country, at least, as far as I was able to ascertain.

As an instance to show the hostility toward friendly Mexicans, I will refer to the case of Marcos Calderan. For some years he had been in the employ of Isaac W. Pierce, an American who owned a gristmill and considerable other property at or near Colonia Diaz. He was a faithful employee, and when Mr. Pierce was compelled to flee for safety, he left his property in charge of Mr. Calderan.

When the military forces invaded Colonia Diaz, a detachment invaded the gristmill and the home of the American, on or about October 15, 1912. Finding that Mr. Calderan was caring for the property of an American, they maliciously and brutally marched him to the cemetery, compelled him to dig a grave, and then to stand on the edge of it, and they then shot him to death so that he fell into the grave, and they covered him up. A few days thereafter they shot and killed another faithful Mexican, an employee of Mr. Pierce. In this way they gave notice that Mexicans must not befriend Americans.

Another instance which occurred at Colonia Morelos, where a Mexican was also a faithful employee of an American. Upon being found trying to protect the property in his charge, he was shamefully maltreated by a military force, and upon fleeing into the hills to secrete himself, he was trailed and brought back and compelled to reveal some of the property and effects of the American, including money, but finally upon ascertaining that the Americans had fled with their money, and no effects being found, they permitted him to go.

There were numerous instances which I ascertained where, during the years 1911 and 1912, up to the time of the flight of Americans, Mexicans appeared at the homes of Americans and informed them of the plan to drive them out, in a friendly way, and the danger that was imminent.

In numerous other cases Mexicans of hostile disposition appeared at their homes to determine which Mexican should receive this property or that property, showing that they generally understood the plan to run the Americans out of Mexico much the same as revealed by Gen. Salazar and Gen. Rojas and other leaders in thought and action in their speeches.

To show the manner in which they treated the effects and property of Americans, I refer to a raid that was made by military forces on a store that was owned by Charles W. Lillywhite & Bros., in Colonia, Morelos. That was in the early part of September, 1912. The soldiers, while invading the town of Colonia Morelos, broke into the store, smashed the doors and windows, and, as the evidence shows, completely destroyed the showcases and fixtures, smashed the furniture, seized all of the merchandise, destroying the greater portion of it, threw large quantities of canned goods

and groceries, hardware, and drugs, in a mixture upon the floor, destroying cans, bottles, and vials of drugs, and scattered upon the mixture poisonous substances which are carried in the mercantile business, consisting of strychnine, quinine, rough on rats, cyanide, and other poisonous articles, breaking the bottles that contained them, and the ruins were still visible when the owner returned to see if he could not secure and protect some of his property. I discovered various instances of that character in taking evidence.

In another instance, in the same town, they invaded a flour mill, appropriated what flour they wanted, and threw the balance on the floor of the mill.

When the military forces were invading Colonia Morelos and that region, as the testimony which I have taken shows, they summoned the Mexicans in the region to a meeting, at which Gen. Salazar presided. It appears that the General informed the Mexican residents that the time had come when the possessions of the Gringos were to be divided among the Mexican people, to whom he claimed it belonged; and he proceeded to distribute the lands among the local Mexicans who would announce their allegiance to the rebel cause and swear vengeance against the Gringos. That was done after the Americans had been driven out, and was reported to the witness whom I examined by a friendly Mexican, an employee of the American.

One of the witnesses also stated that in the town of Colonia San Jose, when it was invaded by Gen. Rojas, notices were posted on the street corners warning the Americans who were in that region, having returned to try to secure some of their property, to leave Mexico and not return.

About May 1, 1914, J. D. Lillywhite and Lee J. Huber returned to Colonia Morelos to take charge of what property of Lillywhite Bros. might be remaining, including the grist mill, and to harvest their crops, if possible. On arriving there they found the hostility and violence of Mexican officers and soldiers and hostile nationals continuing unabated. Several soldiers appeared at the mill with a small roll of Mexican scrip, constitutional money, and offered it in exchange for flour. Lillywhite and Huber, aware that the scrip had no value in the United States, declined to accept it and informed them that the flour in the mill had all been contracted to be delivered to the El Tigre Mining Co. Shortly thereafter a detachment of soldiers arrested Lillywhite and Huber, took them to the office of the commissario, and they were informed by the commissario and other leading Mexicans that they had committed a very grave offense and insult against the Mexican Government by refusing to accept the scrip, and that it was the prerogative of the commissario to fine them in the sum of \$500 each, or sentence them to jail for one year, or force them to enter the constitutionalist army, and that they were at liberty to take their choice of these penalties. While pronouncing the sentence the commissario was exceedingly abusive, in the presence of armed soldiers, and boastfully exclaimed, "You are in Mexico now and are subject to Mexican authority." The prisoners made no resistance, deeming it useless, but tried to explain to him that they simply acted in accordance with their duty to their employer. The commissario, however, accepted no explanation, but gave them an

opportunity to raise the \$500 fine, instead of going to prison, and permitted them to return to the mill, which was patrolled by armed soldiers. They took advantage of the permission to raise the money, and finally effected their escape into the United States, by securing saddle horses and riding all night.

In the latter part of 1914 Charles W. Lillywhite and Horace F. Lillywhite, although hostilities still existed and the anti-American sentiment was intense, returned to Colonia Morelos to care for any of their property that might be remaining, intended to plant crops, and to endeavor to operate their mill. While endeavoring to conduct their business, or the business of Lillywhite Bros., they suffered various losses through hostile invasions of military forces, and nationals operating with them, until about January 23, 1915, when an advance guard of Gen. Jesus Trujillo and Gen. Sosa arrived under the command of Col. Tomas Rosas, and about February 2, 1915, the main army of Gen. Sosa, consisting of about 3,000 soldiers and officers, arrived, Gen. Trujillo having arrived previous to that.

The two Americans had procured passports from the counsel representing Gov. Maytorena. The passports purported to give guarantees for protection for person and property, and were also approved by the counsel of a Mexican general. About that time there were about 17 American men and relatives, or families, in the town. They were all arrested by the advance guard of the army, and held as prisoners, with the town for a jail, during a period of 10 days, until the arrival of Gen. Sosa. In the meantime, Charles W. Lillywhite was commanded to furnish them flour and other products from the mill, and the soldiers seized and appropriated the grain, flour, groceries, and other supplies and personal property which the Lillywhite Bros. and other Americans had, and seized and appropriated the horses and live stock, shot two milk cows owned by the Lillywhite Bros., pillaged their homes, and left them destitute of provisions.

Charles W. Lillywhite was seized upon for special attack by officers and soldiers, and especially by Col. Rosas and Gen. Trujillo, who were among the invaders of the town. Upon seizing their property, Charles W. Lillywhite appealed to Col. Rosas to permit them to retain some of their horses. The colonel flew into a rage, flashed his six-shooter at Lillywhite and called him vile and abusive names, among his epithets being "You gringo, low-lived coward, you son of a bitch, you are a robber."

Afterwards Col. Alfredo Frigosa arrived and used similar epithets against them; both of the colonels stating, as the evidence shows, that the Americans had robbed the Mexicans of their lands, as they had purchased them from President Porfirio Diaz, and that the time had come when the gringos would have to submit to their demands willingly, or they would take them over the border line where they belonged, and that that country belonged to the Mexicans. Col. Sosa, in boasting terms, declared that he had been assigned the duty to distribute the lands of "gringos" among these "Mexicans," waving his hand at a large crowd of natives who had gathered by. Then, shoving his fist in the face of Lillywhite, he said, "Speak! Are you agreeable to that or not? Answer quick." To all of which Lillywhite had to submit.

On January 26, 1915, Charles W. Lillywhite, already under arrest, with the town as a jail, was taken by a detachment of soldiers under command of a captain, as prisoner, and cruelly and shamefully prodded with their bayonets, as they were taking him to a warehouse, and upon their arrival there, Col. Frigosa wantonly and brutally shoved him over a barbed-wire fence, then imprisoned him in the warehouse and held him under guard incommunicado during the rest of the day until late at night. While there as a prisoner, he was afterwards informed, that the Mexicans designed to take him as a prisoner across the country to Fronteras, a distance of 30 miles, and on the way incidentally have him attempt to escape, when they would shoot him to death under the pretense that he had attempted to get away from his guard.

The timely arrival of Col. Haró, with several hundred troops, however, frustrated their designs to kill Lillywhite. That colonel was of humane disposition and did all he could to save him from further violence, until Gen. Trujillo arrived, who was superior in command to Col. Haró, and then the situation of Lillywhite again became desperate. He was taken before Gen. Trujillo on the 27th of January, and on the 29th he was taken twice before the general, and each time was abused and held under threats of death.

On the last occasion, on the 29th, Gen. Trujillo himself flew at him in a rage, and among his abusive epithets said, "You gringo rascal son of a bitch, robbing brute, the greatest robber in the colony. Run the flour mill and send flour to this Cuartel or I will kill you." Then the general viciously and brutally kicked him in the presence of his officers.

For the claimant to have attempted to reason with either Col. Frigosa or Gen. Trujillo, as he stated, would doubtless have cost him his life, for when the general so brutally kicked him, they were on the point of striking him down, Col. Frigosa with his pistol and Gen. Trujillo with his sword, as appears from Lillywhite's testimony. To save his life he was compelled to submit to their cruelty and abuse, convinced that resentment meant death. He was constantly in great stress of mind, not only because of his own safety, but because of that of his family, and except, as he asserted, for the arrival at that time of Gen. Sosa, who appeared to be a humane gentleman, and who was general in chief of the army, Lillywhite would doubtless have fallen the victim of that Mexican violence.

About July 4, 1913, a force of Mexican soldiers operating under the command of Gen. Salazar brutally assaulted and killed a Mexican, who was friendly to Americans, on the Bavi Cora ranch near the town of Madero, because they had learned of his friendliness to Americans. They first beat him, then shot and killed him; they piled wood on him and burned his body, except a small portion thereof, which was afterwards buried by William E. Williams and some companions.

MR. KEARFUL. Have you had occasion to take testimony respecting the massacre at Santa Ysabel?

MR. BARTCH. Yes, sir. I prepared the documents in the case of Mrs. Helen Hintz Coy. She now resides in San Francisco, Calif. Her husband, John Pope Coy, was one of the victims of the massacre at Santa Ysabel. He had been employed by the Cusi Mining

Co., and was on his way to Cusihiuriachic. He was a gentleman of fine attainments and a competent mechanical engineer. He had not been in Mexico previously. On his way he stopped at El Paso and there joined a number of other Americans.

On the evening of January 8, 1916, at a banquet, leading Mexicans assured the Americans that the country where they were going was safe and peaceable, and Mexican officials in authority issued passports to them, purporting to permit them to travel in Mexico in safety. On the morning of the 9th of January they boarded a train and traveled in safety over the railroad to the city of Chihuahua, where Mr. Coy and his companions were joined by several other Americans. At Chihuahua some of them were apprehensive that trouble might ensue. They had been assured, however, by Government officials at El Paso that there was no danger, and that they could safely travel from El Paso to Cusihiuriachic. At Chihuahua they were again assured of the safety along the Mexican Northwestern Railroad from Chihuahua to Cusihiuriachic, by the governor of that State, by Gen. Jacinto de Trevino, the commander of that military zone, and other Government officials.

Notwithstanding those assurances, however, some of the Americans were apprehensive of danger, and C. R. Watson applied to Gen. Trevino for Government troops to guard the train the next day. The general replied that it was unnecessary; that the country was under the control of Government troops, and that he would send out more troops the next morning, and if danger arose they would be protected.

Their apprehension was also indicated by a letter which Mr. W. D. Pearce wrote to his brother, S. L. Pearce, at Laymond, Calif. A photographic copy of that letter, I am informed, is on file with the Department of State of the United States.

In the letter, among other things, he states:

Watson has arranged for a special car to take us out in the morning, and I have decided to go. There will be about 20 Americans in the party. Some of them are a little nervous, as it is rumored that all is not quiet out that way. Watson saw the commanding officer here and offered to pay for troops to accompany the train, but was assured that Carranza troops are in control along the railroad and at Cusihiuriachic, and that he was sending more out this way tonight or early in the morning. So I hope to be able to work for a while without interruption.

Mr. Carranza is more to be feared than was Villa. Villa, at least, had courage to enforce orders, which is more than I can say for Carranza. Carranza fears Villa more than anything else, and if he can make trouble for us Americans, and at the same time make it appear that it was Villa who made the trouble, you may be sure he will do it.

The next morning, on January 10, 1916, Mr. Coy and his companions boarded a train and started for Cusihiuriachic. They traveled in safety to Santa Ysabel. When they arrived at that station two armed Mexicans rode up to and along the train, viewed it, and rode away.

After the train left Santa Ysabel and had traveled about 8 kilometers it was stopped by another train, the front car of which had been derailed in a cut near the river. That was a troop train that had preceded the ill-fated train, the two trains traveling about 10 miles apart. When the ill-fated train stopped a force of Mexican soldiers shot into the car in which the Americans were traveling.

They wounded some of them, then forced them all out of the car, and while doing so C. R. Watson, R. P. McHatton, and Thomas V. Holmes ran toward the river, attempting to escape, while the Mexicans were shooting at them. Holmes tripped and fell into the brush, and the Mexicans then, evidently assuming he was dead, turned their attention to Watson and McHatton, and shot and killed them. While they were shooting at them, Holmes crept through the brush and into the river, then followed the bank down until he escaped. The other parties were lined up against the car and brutally shot to death. Eighteen were killed and one escaped. The Mexicans who were on the train were then permitted to depart.

The occurrence was described by the conductor, J. Guadalupe Gardona, of the ill-fated train, which affidavit, as reported in the public press of the United States, was given to the British consul at Chihuahua City and telegraphed to the British consul, H. C. Miles, at El Paso. As reported in the press it read as follows:

The train arrived at Santa Ysabel at 1.15 p. m. On arriving at kilometer 68, 8 kilometers beyond Santa Ysabel, we encountered a train, national engine No. 57, off the track. When I got off to see what happened the shooting started. Afterwards Gen. Rayna placed us under guard, searching us and also searching the car. All the money on the passengers and in the car was taken. After that had taken place we left, the Americans having been killed. Some of the foreigners were first shot on the train, and a number, including one Mexican, who were wounded in the car, were later taken off and murdered. Some of them jumped off and ran toward the river. These included Watson. They were followed and fired upon.

A messenger from the city of Chihuahua, after arriving at El Paso, January 13, 1916, made a statement, in which, as published in the public press, he said:

The mining company's train had been preceded Monday by a troop train carrying from 500 to 1,000 Carranza soldiers. The two trains were traveling 10 miles apart. At 1 o'clock p. m., it was reported to Chihuahua that the troop train was derailed in a canyon, and at 4 o'clock reports of the hold-up of the passenger train with a number of Mexican women and children aboard returned to Chihuahua City with the first news of the massacre.

One Vasquez, a Mexican in the employ of C. R. Watson, who was a witness to the tragedy, made a statement in which, as published in the public press, among other things, he said:

They left our car, placing guards at the doors, and went into the next car. The foreigners were driven out. Some of them had been wounded by their shooting into the train. Outside the soldiers pointed their guns at them and forced them to strip themselves of their clothing. That was done by the Americans, and they stood there in their underclothing. The soldiers then ordered them to line up along the side of the railroad track, and then the most horrible part began. Two soldiers using Mausers were told by Col. Lopez to kill the Americans. One of them went up to the first foreigner and shot him, and as he died the second one fired his Mauser at the second foreigner, standing in line. A general confusion began when the first two were killed, but the two men ran along the line, taking turns shooting the Americans. Some of the foreigners attempted to break away, but they were forced back by the soldiers until the entire line had been killed. Only two men did the executing. The others stood around cheering and crying, "Viva Villa." I saw the dead bodies of the Americans as they lay after the shooting. Their underclothing was covered in blood, and they lay in all kinds of grotesque positions. Some had fallen forward, while others fell over one another. The top of one American's head had been shot off.

I obtained no direct evidence showing to what arm that force of soldiers who did the shooting belonged. It is shown, however, that

a troop train carrying from 500 to 1,000 government soldiers preceded the ill-fated train; that one car of that train was derailed; that the two trains were traveling about 10 miles apart; and it was shown that no soldiers were in sight except those that did the shooting. According to the public press, the government authorities claimed that they were Villa's soldiers, but I have observed no intimation anywhere or from any source as to what became of all those government troops within the short period of time between those trains, or as to what would induce them to leave the train when their car was derailed, nor have I seen any showing by Mexican authorities as to what became of those soldiers. Under the circumstances, the conclusion seems inevitable that the soldiers on the troop train committed that massacre. I see no escape from that conclusion.

It has cast a dark cloud upon Mexico and it was and is the province of the Mexican Government, in order to escape condemnation for that massacre, to show what became of the government soldiers. This, so far as I have been able to ascertain, it has failed to do. That government, and those government officials who gave the assurances of safety, were aware ever since the Madero revolution of the villainies that were constantly perpetrated against American citizens up to the time of the massacre. They were aware, or by the exercise of reasonable diligence would have been aware, at the very time when they gave those assurances of safety, that the country was overrun with soldiers, and nationals operating with them, whose hostility against Americans had no bounds.

Nor have I been able to secure any evidence that the Mexican Government made any reasonable effort to apprehend and punish the criminals, notwithstanding the inhuman outrage that was committed on inoffensive, law-abiding American citizens. The massacre of those 18 American mining men was an atrocity which, in brutality and inhumanity, closely resembled, except in numbers, the barbarous massacre of more than 300 Chinese subjects at Torreón, in the State of Chihuahua, in May, 1911, and, like that massacre of the Chinese, the massacre of the 18 Americans beggars description. No language can adequately portray the inhumanity and inherent brutality of the perpetrators, and the barbarity of that Mexican army which forced those Americans from the car and train and barbarously shot them to death, while they were begging for mercy, mercy at the hands of soldiers and officers steeped in brutality, lost to all sense of humanity or decency, given over to race hatred created by military forces and hostile nationals, and acquiesced in by government authorities. And the events succeeding the massacre, which culminated in the awful crime committed at Columbus, N. Mex., on March 9, 1916, when Americans were massacred in their own homes, on American soil, shows a complete chaotic condition of the local government of the State of Chihuahua, and a lamentable delinquency on the part of Mexico to permit the Government to drift into such a state.

Notwithstanding the fact that numerous grave offenses have been perpetrated by Mexican military forces and nationals cooperating with them, encouraged by leaders in speech and action, the Mexican Government has, in my judgment, made no reasonable attempt to apprehend and punish the culprits. Governmental authorities have attempted to make it appear through the public press, and other-

wise, that Gen. Villa and his army were in revolt against the Mexican Government. Still the circumstances unequivocally indicate that whenever American rights were infringed upon by the alleged command of Gen. Villa, and whenever Americans were killed by military forces or outraged, the Mexican Government, it appears, not only failed to punish the perpetrators of the offenses, but, with the use of its own governmental troops, as in the case of Gen. Villa, who was alleged to have committed the outrages at Columbus, N. Mex., actively interfered when the military forces of the United States attempted to apprehend and punish the criminals, for it is now a matter of history that when the United States Government, recognizing the delinquency of the Mexican Government in its failure to apprehend and punish the perpetrators of the crimes committed at Columbus, sent its troops across the border into Mexico to apprehend and punish the offenders, the Mexican Government by use of its government troops actively interfered and engaged, at the city of Parral, in the State of Chihuahua, the American forces in battle, in which a number of American soldiers were killed, and thereby prevented further pursuit and permitted the guilty persons to escape.

Thereafter, about June 21, 1916, another detachment of American soldiers, sent in pursuit of a detachment of the army of Gen. Villa, was ambushed near the town of Carrizal, in the State of Chihuahua, by a force of governmental troops under the direct command of Gen. Felix de Gomez, who was subject to the command of Gen. Jacinto de Trevino, the federal general commanding that military one, and an attack was made by order of the chief executive of the nation, Gen. Venustiano Carranza, as reported in the public press. In that battle a number of American soldiers were killed, including Capt. Boyd and Capt. Morey.

It thus seems clear that the facts and circumstances show unerringly that the acts and conduct of the Mexican Government and its government officials, respecting the vile and villainous acts and barbarousness of its military forces against American citizens, are wholly inconsistent with its official pretenses and utterances.

If this Government should establish a protectorate in Mexico, similar to that in Cuba, it would be advisable, in my opinion, for the Government to appoint a commission to adjust all American claims, and to assume the payment of them, and liquidate them by the issuing of Government bonds, and also provide sufficient funds to put the Mexican Government in position to liquidate the other foreign claims against it, and maintain a proper government.

(Whereupon the committee adjourned, subject to the call of the chairman.)

INVESTIGATION OF MEXICAN AFFAIRS

HEARING

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

SIXTY-SIXTH CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 106

DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS
OF THE UNITED STATES IN MEXICO

PART 19

Printed for the use of the Committee on Foreign Relations



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1920

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INVESTIGATION OF MEXICAN AFFAIRS.

THURSDAY, MAY 6, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met pursuant to call at 11 o'clock a. m., in room 128, Senate Office Building, Senator Albert B. Fall presiding.

TESTIMONY OF WILLIAM TEITLEBAUM.

(The witness was duly sworn by the chairman.)

The CHAIRMAN. You may give your name in full.

Mr. TEITLEBAUM. William Teitlebaum.

The CHAIRMAN. Mr. Teitlebaum, you telegraphed to the chairman of this committee a few days since from New York City expressing a desire to appear before the committee and make a statement with reference to the subject of this investigation.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. In answer to your telegram, you were notified that the committee would hear you either then, the latter part of April, or early this week.

Are you a citizen of the United States?

Mr. TEITLEBAUM. In the eyes of the law, I am not, Senator; in service and love, I am a very fair one.

The CHAIRMAN. Of what country are you a native?

Mr. TEITLEBAUM. I am a Hungarian by birth.

The CHAIRMAN. Have you ever been naturalized as a citizen of the United States?

Mr. TEITLEBAUM. No, sir; I have not.

The CHAIRMAN. Where do you reside?

Mr. TEITLEBAUM. I reside in New York City at the present time.

The CHAIRMAN. What is your business?

Mr. TEITLEBAUM. I am engaged in one of the various businesses that is known where a scavenger is clean alongside of it—broker.

The CHAIRMAN. You have not expressed as fully as you might, I presume, what is your business?

Mr. TEITLEBAUM. General broker of food products, sugar, and coal.

The CHAIRMAN. Where is your place of business?

Mr. TEITLEBAUM. At the present time I have none. I am simply a free lance.

The CHAIRMAN. Are you associated with any firm or with any other person in business?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. What is your occupation at the present time?

Mr. TEITLEBAUM. Brokerage. for instance, the first money for some little while that I have had I made last week, of \$150, which I am using to bring this service before you.

The CHAIRMAN. What was your occupation in 1910 and 1911?

Mr. TEITLEBAUM. I had interests in San Antonio in the amusement field, and prior to that in irrigation.

The CHAIRMAN. You mean San Antonio, Tex.?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What kind of irrigation were you interested in?

Mr. TEITLEBAUM. The air lift.

The CHAIRMAN. You mean lifting the water from wells by air pressure?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Where was that? Was that at Pearsall, Tex.?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What was the extent of your activities in the irrigation line at that time?

Mr. TEITLEBAUM. Well, I had organized that Pearsall undertaking, and after that tried to further it through parties in San Antonio.

The CHAIRMAN. You have expressed a desire to give this committee information about Mexico. Just proceed. I would like to ask you to make your story just as concise and short as possible. The time of the committee is limited. We would like to have any facts that you have upon which you may base any suggestions that you have to make. Just proceed in your own way.

Mr. TEITLEBAUM. Unfortunately, I am not as direct in speech as yourself, and I have to beg the committee's indulgence a little bit. I am very reluctant in coming before the committee with the broken life, but I feel the responsibility of investigations which I have conducted, research that I have made in the Mexican situation, that I can not escape that responsibility in bringing it before your committee.

The CHAIRMAN. How did you happen to make such investigations?

Mr. TEITLEBAUM. I organized while in San Antonio the American Anti-Intervention Association.

The CHAIRMAN. What year?

Mr. TEITLEBAUM. I think it was in 1910.

The CHAIRMAN. Who were the other organizers?

Mr. TEITLEBAUM. Dr. Brumley.

The CHAIRMAN. Where did he live?

Mr. TEITLEBAUM. He lived in San Antonio.

The CHAIRMAN. Where does he live now?

Mr. TEITLEBAUM. I think in Austin.

The CHAIRMAN. Who else?

Mr. TEITLEBAUM. That was all.

The CHAIRMAN. Just Dr. Brumley and yourself?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Was he a citizen of the United States?

Mr. TEITLEBAUM. Yes, sir. He is one of the board of health commissioners of the State of Texas.

The CHAIRMAN. Residing then in San Antonio?

Mr. TEITLEBAUM. In San Antonio.

The CHAIRMAN. How did you and he happen to organize the Anti-Intervention Association?

Mr. TEITLEBAUM. Well, it was I who organized it.

The CHAIRMAN. Well, but you and he composed it?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. That is what I am asking you. Who composed that association?

Mr. TEITLEBAUM. I did myself, sir.

The CHAIRMAN. Then you organized it, he joined you, and you composed it?

Mr. TEITLEBAUM. Yes, sir. There is a photograph of the float, which was the initial float, and accompanied by those persons. I hand you also a few of these cards.

The CHAIRMAN. I notice that you apparently printed and sent out post cards addressed to the American Anti-Intervention Association, 304 East Side Alamo Place, San Antonio, Tex., with no other address, containing neither your name, nor that of your associate, Dr. Brumley.

Mr. TEITLEBAUM. Yes, sir. Dr. Brumley at that time had no connection with it.

The CHAIRMAN. I am trying to get a starting point. You say you organized that association. How did you organize it?

Mr. TEITLEBAUM. My simply starting that float from the Alamo.

The CHAIRMAN. The sending out of a float on the street is not the organization of an association?

Mr. TEITLEBAUM. That was the organization of it.

The CHAIRMAN. That is an activity of an association; that is not the organization of an association.

Mr. TEITLEBAUM. That was all there was to it.

The CHAIRMAN. You just constituted yourself the association?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Then you secured a float drawn by horses?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And containing signs; for instance, here is a sign bearing on the top the words, "You can stop the war with Mexico," and on the side various other signs. And you started that around the streets of San Antonio? Is that it?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Then along with your other activities you had these post cards printed and sent them out?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who printed them? I mean, who paid for them?

Mr. TEITLEBAUM. I paid for them, sir.

The CHAIRMAN. I am asking you these personal questions to get you started.

Mr. TEITLEBAUM. Yes, sir; that is all right.

The CHAIRMAN. I want to cut this short, if possible.

Mr. TEITLEBAUM. I am afraid it will be very difficult to do it, Senator.

The CHAIRMAN. We will do it. It will not be difficult. We will give you ample opportunity to tell what you know, but the committee has its own method of procedure.

On the back of this post card I noticed printed :

You are requested to place my name on your honor roll as favoring the blessings of peace as against intervention, which means war with Mexico. I also desire you to use my name to a petition directed to my Congressman and Senators in Washington, to vote and work zealously for the recognition of belligerent rights to the insurgents of Mexico as the safest and quickest way to accomplish permanent peace in our sister republic.

Then follows "name, address, remarks."

The particular post card which you have handed me, and which I am reading from, has opposite the printed word, "name," in writing, "George J. Dewey" or "Denny," "jr." or "sr." Do you know what that name is ? Opposite the word "address" is written "401 Gibbs Building." Opposite the word "remarks" is written "recognition of belligerent rights means Diaz's end, then comes peace. Hurry it along." The name is of no importance. These are the cards you sent out, and these which you have handed me are some of those which were returned to you?

MR. TEITLEBAUM. Yes, sir. I distributed them myself, mostly, and these were some that were mailed in.

THE CHAIRMAN. You distributed them personally?

MR. TEITLEBAUM. Yes, sir.

THE CHAIRMAN. What was the date when you were distributing these cards?

MR. TEITLEBAUM. I think it was about May 3, 1911, from a clipping that I have here from the press of that date, where is said, "Peace movement started."

THE CHAIRMAN. On or about May 3 is when you were distributing these cards?

MR. TEITLEBAUM. Yes, sir. I think for about a week or 10 days, some such matter after that.

THE CHAIRMAN. Did you know Francisco I. Madero, jr., prior to that time?

MR. TEITLEBAUM. I met the gentleman just a little while before that.

THE CHAIRMAN. You became acquainted with him?

MR. TEITLEBAUM. I became acquainted with him; met him at his hotel in San Antonio.

THE CHAIRMAN. Did you talk with him at that time about Mexican affairs?

MR. TEITLEBAUM. I did; yes, sir. He spoke to me, rather, explaining the situation in Mexico, and won me to his cause.

THE CHAIRMAN. Then you were distributing these post cards in the interest of the cause of Francisco I. Madero, jr., were you not?

MR. TEITLEBAUM. No, sir.

THE CHAIRMAN. You said you were won to his cause?

MR. TEITLEBAUM. Yes, sir.

THE CHAIRMAN. I asked you why you distributed these cards?

MR. TEITLEBAUM. I had early in life set myself the task of earning American citizenship, and I had made a number of efforts in different lines prior to that.

THE CHAIRMAN. When did you come to the United States?

MR. TEITLEBAUM. In 1880.

THE CHAIRMAN. Did you apply for citizenship papers, first papers?

Mr. TEITLEBAUM. No, sir; I did not.

The CHAIRMAN. Have you ever made application?

Mr. TEITLEBAUM. No, sir; I have not.

The CHAIRMAN. Then what do you mean by "earning" American citizenship?

Mr. TEITLEBAUM. I wanted to try to have it given to me without applying for it.

The CHAIRMAN. At this time you speak of, when you were engaged in these activities, there was a recognized government in the Republic of Mexico, with Porfirio Diaz as president, was there not?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. There was no trouble between the United States and Mexico at that time that you knew of, was there?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What was it?

Mr. TEITLEBAUM. The insurrection.

The CHAIRMAN. Oh, I am speaking of the United States of America with Mexico?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. What did the United States have to do with this insurrection in Mexico?

Mr. TEITLEBAUM. Well, there was a movement on foot then to intervene, if I recall right.

The CHAIRMAN. What movement? Directed by whom?

Mr. TEITLEBAUM. My memory does not rserve me as well as it might, but I think I have something that might refresh it.

The CHAIRMAN. What are you proposing to refer to in order to refresh your memory?

Mr. TEITLEBAUM. Some clippings that I have here of some of the activities of the organization.

The CHAIRMAN. All right.

Mr. TEITLEBAUM. Or rather, of the movement. I see that on May 6, Pearsall held a meeting of citizens in an effort to have the rebels recognized.

The CHAIRMAN. That had nothing to do with the Government of Mexico, or any trouble between the United States and the Government of Mexico. I presume you attended that meeting or had something to do with it; did you not?

Mr. TEITLEBAUM. No, sir; I did not attend it. I suppose I did have, indirectly, a hand in it.

The CHAIRMAN. You have referred to this memorandum, and in answer to the question you said there was a movement on foot for intervention in Mexico. I have asked you what difficulty there was between the United States and Mexico, and you, in attempting to answer that, have said there was a movement on foot for intervention at that time. Now, the only movement that appears as yet is the one you were attempting to organize, and concerning which you refer to the meeting at Pearsall, which was the scene of your activities.

Mr. TEITLEBAUM. No, sir; that was in San Antonio.

The CHAIRMAN. You were distributing these post cards in San Antonio?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. In an attempt to refresh your memory you have referred to a newspaper clipping concerning a meeting at Pearsall, where resolutions were adopted requesting the recognition of the insurgents in Mexico against the regular Government?

Mr. TEITLEBAUM. May I read that?

The CHAIRMAN. I do not care to have that newspaper clipping read into the record. I take your word for it, that it is something concerning your activities. Now, what I am getting at—

Mr. TEITLEBAUM. I see what you are getting at, Senator, and I am very anxious to try to give it to you as near right as I know it.

The CHAIRMAN. You stated that you were desirous of proving your right to become a citizen of the United States?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You have never made an application for citizenship, although you came here 30 years ago, or something like that, and you have never made any attempt to become a citizen, still you are trying to prove your right to become a citizen by your efforts in behalf of the insurgents against the regular recognized Government in the Republic of Mexico.

Mr. TEITLEBAUM. The situation, strange as it may seem, is so, notwithstanding. Here is the way of it. I set myself to try to earn that citizenship. Lafayette is the only man to whom that citizenship has been offered, and he refused it. I have set myself to earn that citizenship.

The CHAIRMAN. That you might refuse it?

Mr. TEITLEBAUM. No, sir; not that I might refuse it; that I might have it so.

The CHAIRMAN. Lafayette did not undertake to earn his citizenship by getting this country into trouble with any other country; did he?

Mr. TEITLEBAUM. No; and I did not either; I did not either, sir. I had imparted this secret of mine to Mr. Bonillas, who was the first man I told it to; and Mr. Long, here in Washington; Mr. Bryan; Mr. Wright, editor and publisher of the Globe; and Mr. Dittemore, of the Times, before the World War brought on by Germany, and before it had become fashionable for men to find excuses of not being citizens.

The CHAIRMAN. You have not followed the fashion, have you?

Mr. TEITLEBAUM. Not in that respect; no, sir.

The CHAIRMAN. But you have never made application for citizenship?

Mr. TEITLEBAUM. No, sir. I had held this: After having told of this secret of mine, I have set myself to finding there is nothing in the Constitution against a man trying to earn to have the flag covering him when he is no more, that he may be able to do that, having failed in the other, and that is why I am here. I have felt, Senator, that the question of service, and not what we get, but what we give, is the basis of citizenship.

The CHAIRMAN. All right. Let us put that question of citizenship aside for a moment. What else did you do besides distributing these post cards and also to hold meetings and endeavor to bring about the meetings in favor of the belligerency of the Madero faction in Mexico at that time?

Mr. TEITLEBAUM. From time to time we had sent messages to the President.

The CHAIRMAN. What did you know about Mexico at that time?

Mr. TEITLEBAUM. Only what Mr. Madero had told me.

The CHAIRMAN. How long had you been on the border or near the border when you met Madero?

Mr. TEITLEBAUM. I was there several years. I don't remember just how long, probably three years, two or three.

The CHAIRMAN. All right. You had done nothing with reference to Mexico until you met Madero, had you?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. How many conferences did you have with Madero?

Mr. TEITLEBAUM. I only had one conference. It was not a conference.

The CHAIRMAN. Was there an understanding between Madero and yourself as to what you should do, if anything?

Mr. TEITLEBAUM. No, sir; not at all.

The CHAIRMAN. Then, what you knew of Mexico at that time you learned from conference with Madero?

Mr. TEITLEBAUM. Yes, sir; and from San Antonio, being in San Antonio.

The CHAIRMAN. From whom else in San Antonio did you learn of Mexico?

Mr. TEITLEBAUM. No individual person that I knew of.

The CHAIRMAN. Did you read anything about Mexico?

Mr. TEITLEBAUM. Most assuredly.

The CHAIRMAN. What was the source of your reading?

Mr. TEITLEBAUM. Newspapers was all.

The CHAIRMAN. Had you made any study of conditions of Mexico or the people of Mexico prior to that time?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Did you make any afterwards?

Mr. TEITLEBAUM. No, sir; I have not.

The CHAIRMAN. Have you made any study of Mexican history or conditions or ethnology?

Mr. TEITLEBAUM. In a very vague kind of way. I mostly obtained my knowledge first hand.

The CHAIRMAN. How?

Mr. TEITLEBAUM. By investigation.

The CHAIRMAN. How? What investigation?

Mr. TEITLEBAUM. Well, I went down to Mexico.

The CHAIRMAN. When?

Mr. TEITLEBAUM. January, 1914.

The CHAIRMAN. With whom?

Mr. TEITLEBAUM. With Mr. Jesus Aguilar.

The CHAIRMAN. Who was he?

Mr. TEITLEBAUM. He was a nephew of Mr. Madero.

The CHAIRMAN. Where did you go?

Mr. TEITLEBAUM. I went with him to Culiacan.

The CHAIRMAN. Where else?

Mr. TEITLEBAUM. From there I traveled with him to the first chief.

The CHAIRMAN. Who was the first chief?

Mr. TEITLEBAUM. Carranza.

The CHAIRMAN. You are getting Carranza and Madero mixed, are you not?

Mr. TEITLEBAUM. No, sir. You asked me when I went down to Mexico and with whom.

The CHAIRMAN. You didn't go during the time of Madero?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Do you speak Spanish?

Mr. TEITLEBAUM. No, sir; I do not.

The CHAIRMAN. What was the date that you went to Mexico?

Mr. TEITLEBAUM. I am trying to give it to you. I think it was January 31 or February 1, 1914.

The CHAIRMAN. How did you happen to go there at that time?

Mr. TEITLEBAUM. I was very anxious to have the Constitutionalists lend themselves more to the American need.

The CHAIRMAN. What did you know of America's needs? You are not a citizen.

Mr. TEITLEBAUM. I probably have studied the needs as closely as any man in the task that I have set for myself.

The CHAIRMAN. When you say "America's needs" do you mean the needs of the United States of America?

Mr. TEITLEBAUM. The United States of America.

The CHAIRMAN. Then, you went to Mexico with Aguilar, a nephew of the first chief?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. That is, Carranza?

Mr. TEITLEBAUM. And he acted as my interpreter.

The CHAIRMAN. Aguilar acted as your interpreter?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. That you might impress the Constitutionalists with the needs of the United States of America?

Mr. TEITLEBAUM. Well, there was considerable friction at that time that I had hoped to be able to help avert.

The CHAIRMAN. That friction with the Constitutionalists?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who were the Constitutionalists?

Mr. TEITLEBAUM. Well, Carranza——

The CHAIRMAN. Was the first chief?

Mr. TEITLEBAUM. Was the first chief.

The CHAIRMAN. What was the Constitutionalist movement? Do you know?

Mr. TEITLEBAUM. I have a rough idea, but the question of time, and place, and history, and geography does not mean anything to me in the investigations that I was making and had been and am making in regard to character and needs and adaptability.

The CHAIRMAN. You don't know what the constitutional movement in Mexico was, do you, and you didn't know at that time?

Mr. TEITLEBAUM. Yes; I had some knowledge of it.

The CHAIRMAN. Well, what was it?

Mr. TEITLEBAUM. The Constitutionalists having rebelled against the treachery and treason of Huerta, and wanted to get back to the constitutional form of government.

Mr. TEITLEBAUM. What constitutional form of government?

Mr. TEITLEBAUM. The government that had been drawn up in the movement for Madero.

The CHAIRMAN. The aims and objects set forth in what is known as the plan of Guadalupe?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And that plan was to return to the constitution of 1857?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. That was the foundation of the Carranza movement in Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Now, you went there to convey to them knowledge of the needs of the United States, or did you go there to investigate their movements, the desires, and intentions of the Carranzistas themselves?

Mr. TEITLEBAUM. No, sir. I have tried to express, as well I can, just what my object was.

The CHAIRMAN. Where were you at the time, or just prior to the time, you went into Mexico?

Mr. TEITLEBAUM. I was in San Antonio.

The CHAIRMAN. How long had you been there?

Mr. TEITLEBAUM. I think about three years.

The CHAIRMAN. You had remained there from the time you had met Madero?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You had not returned to New York or to the East?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. You had remained in San Antonio?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. How did you come in contact with Aguilar and the Carranzistas?

Mr. TEITLEBAUM. Through acquaintance in having met Aguilar and a number of Mexicans in sympathy with the movement that I had underfoot.

The CHAIRMAN. What movement did you have underfoot?

Mr. TEITLEBAUM. This peace movement.

The CHAIRMAN. But Madero's movement had been successful, and had been elected and inaugurated President.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you mean to say you kept up the antiintervention movement all the time during the Madero administration?

Mr. TEITLEBAUM. No, sir. Not at all. I say I had occasion to meet the different Mexicans after that.

The CHAIRMAN. In the meantime, during these three years, had you been studying Mexican history and conditions and people?

Mr. TEITLEBAUM. I had.

The CHAIRMAN. What have been the sources from which you sought information upon that subject?

Mr. TEITLEBAUM. From the Mexicans themselves, and what I was able—

The CHAIRMAN. You talked to individual Mexicans in the English language?

Mr. TEITLEBAUM. And the American papers.

The CHAIRMAN. The San Antonio Press, and the Light, and other papers?

Mr. TEITLEBAUM. The Light, and others.

The CHAIRMAN. La Prensa? You could not read La Prensa?

Mr. TEITLEBAUM. No, sir; I could not read La Prensa.

The CHAIRMAN. That was the Mexican paper published there.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. How did you happen to go down there with Aguilar?

Mr. TEITLEBAUM. I was very anxious to go and try to see whether I could in an individual capacity try to have the Mexican leaders lend themselves to what I felt and knew to be the needs of the United States, to bring peace and a lasting peace in Mexico and the United States.

The CHAIRMAN. You were of independent means at that time, were you?

Mr. TEITLEBAUM. I was, but I have spent practically all of the money that I have had in this same matter.

The CHAIRMAN. Yes; but did you have independent means without having to work at the time you went with Aguilar into Mexico?

Mr. TEITLEBAUM. I took it out of my business.

The CHAIRMAN. You had a business, did you?

Mr. TEITLEBAUM. Yes, sir. I was associated in the amusement business in San Antonio. I not only paid my expenses, but also those of Aguilar.

The CHAIRMAN. You went to Culiacan?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who did you see at Culiacan?

Mr. TEITLEBAUM. First Chief Carranza.

The CHAIRMAN. What did you undertake to do with Mr. Carranza?

Mr. TEITLEBAUM. I did not get to have any audience with Mr. Carranza for three or four days, until he was on the return from Culiacan, at Cuernavaco, and I had a conference with him on the lines for which I went down.

The CHAIRMAN. That is exactly what I am driving at. What were those lines? What were you trying to do?

Mr. TEITLEBAUM. In a letter before I went down——

The CHAIRMAN. Did that letter express what you wanted to do?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Does that express what you were telling him or were trying to impress upon him?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. All right. Then refer to it.

Mr. TEITLEBAUM. In a letter dated January 31, 1914, to Col. William J. Bryan, Secretary of State, among other things, I said:

Noting the great need for better organization through more appropriate lines of thought and concerted thought to facilitate and recognize the constitutional movement, and movement to repudiate strict adherence to law, like the effort to extradite Gen. Salazar, which necessarily must be an act detrimental to the constitutionalists, I also wish to try to introduce the wish for rapid reconstruction in Mexico of her family affairs and the immediate failure of any future revolution that may be launched on the outside of Mexico. I also wish to urge a more humane warfare in their civil life.

The CHAIRMAN. What did Bryan reply to that?

Mr. TEITLEBAUM. Bryan did not reply.

The CHAIRMAN. What did you have reference to in condemning efforts of some one to secure the extradition of Salazar?

Mr. TEITLEBAUM. I say the chance for a constant effort at revolution.

The CHAIRMAN. What did the extradition or proposed extradition of Salazar have to do with it and why do you condemn the efforts toward his extradition?

Mr. TEITLEBAUM. I can not at this moment refer just to the circumstance in connection with it, Senator.

The CHAIRMAN. Did you know Salazar?

Mr. TEITLEBAUM. No, sir; I did not.

The CHAIRMAN. Did you ever know anything about him.

Mr. TEITLEBAUM. No, sir; with the exception that I know or did know the circumstances at the time of Salazar.

The CHAIRMAN. You do not know them now?

Mr. TEITLEBAUM. I don't recall now.

The CHAIRMAN. Did you ever meet Salazar?

Mr. TEITLEBAUM. No, sir; I did not; not that I know of. The names did not mean much of anything to me. No, sir; I don't know now.

The CHAIRMAN. You did not know that he was cursing and abusing American people, daring them to fight, spitting in their faces, slapping their jaws, murdering the men, ravishing the women, and driving some 1,200-odd women and children out of Mexico, did you?

Mr. TEITLEBAUM. I think it is to extradite him back to Mexico, is it not?

The CHAIRMAN. You were opposing his extradition, were you not?

Mr. TEITLEBAUM. As I say, without trying to find out as to just what the situation then was, I am not able to pass on it for the moment, with the exception of my record in the matter.

The CHAIRMAN. What is the date of that letter?

Mr. TEITLEBAUM. January 31, 1914.

The CHAIRMAN. You did not know that Salazar ordered the execution of an American citizen named Fountain, or caused his execution, although the President of the United States, through the consul at Parral, placed Fountain under the protection of the United States and demanded of Salazar that he should not execute that American citizen? You knew nothing of that, did you?

Mr. TEITLEBAUM. You are a good deal more familiar in regard to men and their history, etc., than I am.

The CHAIRMAN. I am asking you if you knew about that?

Mr. TEITLEBAUM. I am simply trying to give you credit for these things, because I have not the situation on those things firmly in mind as yourself, and as you have expressed that you have but very limited time to give me I prefer to try to get it on some lines that have a direct bearing on which I have in mind, rather than the question of personnel of certain men.

The CHAIRMAN. The object of these questions, Mr. Teitlebaum, is to show whether you know anything about the subject, and whether it is possible for this committee, and through the committee to the American people, to obtain any possible information from you.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You were writing to Mr. Bryan, the then Secretary of State, ostensibly from the standpoint of one who knew something about Mexico and the Mexican people. You were referring to

Salazar and to his extradition. The questions propounded to you are to ascertain what knowledge, if any, you have of Salazar, why you should interfere in his behalf, what intimate acquaintance with Mexican affairs you possessed upon which you propose to enlighten this committee and the American people. For that reason I have asked you the specific question of whether you knew of certain acts of Salazar?

Mr. TEITLEBAUM. No, sir; I did not. I did know at the time, because I based that statement—but I do not recall at the moment.

The CHAIRMAN. I am recalling it to you.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Because you are one of the men in the United States who have criticized the committee, and particularly the chairman, who is now addressing you. The chairman of this committee was stating from the record to the people of the United States that Salazar, in defiance of the command of the President of the United States that he should not murder an American citizen, did proceed to murder that American citizen. And I was criticized by you for such general statement. Now, you were writing to the Secretary of State in reference to Salazar, and in his behalf, and still you say you knew nothing about Salazar or his actions?

Mr. TEITLEBAUM. I would probably be able to give you a more and better understanding of that and better explanation of it than I am able to give you at the moment, because my memory is very treacherous.

The CHAIRMAN. Very well; I will refresh your memory.

Lieutenant, have you the files of the Secretary of State in reference to the Fountain case?

Lieut. FLIPPER. I think so.

Mr. TEITLEBAUM. That would not have any bearing, Senator. I beg your pardon, but I don't want to be sidetracked.

The CHAIRMAN. Then get to the main issue. What do you want to say? Go on.

Mr. TEITLEBAUM. I want to make a plea for a square deal for the masses of Mexico.

The CHAIRMAN. What do you know of the masses of Mexico?

Mr. TEITLEBAUM. I had occasion to observe in six months' very close application considerable of the masses.

The CHAIRMAN. What was the result of your observations?

Mr. TEITLEBAUM. I am trying to give it to you.

The CHAIRMAN. Very well. Get to something concrete.

Mr. TEITLEBAUM. I have felt that they were more sinned against than sinning; that they have failed to have at least one hand on the side of virtue and honor for the others; that the large part of Mexico's troubles is outside of Mexico.

The CHAIRMAN. Where is it? I can make a speech, and so can you, but we are trying to get information. Where is the trouble with Mexico that is outside of Mexico?

Mr. TEITLEBAUM. Well, I think the financial interests, oil interests, and other people do not understand the Mexican situation.

The CHAIRMAN. Do you understand it?

TEITLEBAUM. I think so.

CHAIRMAN. Well, what is it? That is what I am trying to—What is it?

Mr. TEITLEBAUM. I am trying to give it to you in my humble way, Senator.

The CHAIRMAN. Well, let us get the facts, and not speeches.

Mr. TEITLEBAUM. The indictment I make of it is that no intelligent program, and no honest effort has been made to keep the peace of Mexico.

The CHAIRMAN. Then you are indicting the President of the United States, and the people of the United States.

Mr. TEITLEBAUM. I am indicting anybody for the duty as I see clear to me, and I want to make my case on that.

The CHAIRMAN. Well, you can make a case on the facts.

Mr. TEITLEBAUM. All right; I am trying to make it so, sir.

The CHAIRMAN. Very well.

Mr. TEITLEBAUM. Mr. Conova, who was the former director as to Mexican and the Latin American Department or Division in the State Department, had smuggled out General Iturbide from Mexico.

The CHAIRMAN. What is the source of your information upon that subject?

Mr. TEITLEBAUM. I had that from Mexican sources, Mr. Uranta, who was representative of the Villa forces in Washington, or was at that time, and I had occasion since to check up.

The CHAIRMAN. That is something concrete. Mr. Uranta, representing the Villa forces, stated to you that Mr. Conova, lately in charge of the Department of Latin American affairs in the United States in the Department of State, had smuggled out Mr. Iturbide from Mexico City?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. All right. You got that from Mr. Uranta?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. He is now in New York?

Mr. TEITLEBAUM. I think he is in New York. The last I knew of him he was.

The CHAIRMAN. All right. That is one of the grounds of your indictment against the President and people of the United States. Go ahead.

Mr. TEITLEBAUM. On August 17, 1915, I wrote to Mr. Wright—

The CHAIRMAN. Who is Mr. Wright;

Mr. TEITLEBAUM. The editor and publisher of the Globe, in New York:

On several occasions during the past week I have discussed with you the serious charge being made by Mr. E. C. Uranta, the accredited representative of the Mexican conventional forces in Washington, that Mr. L. J. Conova, chief of the Mexican Division of the State Department, is secretly advancing the candidacy of Eduardo Iturbide for provisional President of Mexico. The impressions created by Mr. Conova's affiliations serve as a great obstacle to setting the various factions in arms together, and if possible communicate with the Latin American conference.

The CHAIRMAN. That was your statement at that time. Now, you are making a statement to the committee. What did you know about Iturbide?

Mr. TEITLEBAUM. I personally knew that he was associated with Huerta, and that Huerta turned his forces to him in Mexico City, and he in turn surrendered them to the Constitutionalists.

The CHAIRMAN. The Constitutionalists were the Carrancistas?

Mr. TEITLEBAUM. In Mexico City.

The CHAIRMAN. What did you know about the different factions in arms in Mexico? You say in that communication that Mr. Conova's efforts in behalf of Mr. Iturbide would prevent the getting together of the different factions in arms in Mexico. What did you know about that?

Mr. TEITLEBAUM. The Carrancistas and Villistas.

The CHAIRMAN. Were you acting as a go-between and in the confidence of both of those factions in Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. The Iturbide faction formed another faction, did it?

Mr. TEITLEBAUM. No, sir; I didn't mean it in that sense. I was trying to compose the two factions then, because there was no other faction at that time.

The CHAIRMAN. Oh, yes; there was.

Mr. TEITLEBAUM. Well, I had in mind the two principal factions.

The CHAIRMAN. You had in mind the two principal factions, and you were attempting to act as a go-between for those two factions?

Mr. TEITLEBAUM. Yes, sir; to compose their differences.

The CHAIRMAN. And you were simply making a statement at that time of your conclusions?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And that activities in behalf of Iturbide prevented the getting together of the Villa faction and the Carranza faction?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What other indictment have you against the United States?

Mr. TEITLEBAUM. "Neither the Carranza, Villa, or Zapata factions can be persuaded to accept Iturbide."

The CHAIRMAN. How did you know that?

Mr. TEITLEBAUM. I had worked with these people with the sincere desire of trying to do service to this country in bringing those factions together, to save the blood and treasure of this, my country.

The CHAIRMAN. And when you found that some other American citizen, holding a high office in the department of the Government, thought that some other solution was better than yours, of course he was not actuated by the high motives which governed your conduct?

Mr. TEITLEBAUM. Yes, sir; I think if you will let me——

The CHAIRMAN. I am not going to let you go ahead and talk generalities.

Mr. TEITLEBAUM. That is not a generality; that is a direct charge on which I base my testimony.

The CHAIRMAN. You have made your charge.

Mr. TEITLEBAUM. I am reading it.

The CHAIRMAN. Well, you have made it.

Mr. TEITLEBAUM. I am trying to do it by reading.

The CHAIRMAN. I do not care to have you read all of your correspondence in this record. I have not the time for it.

Mr. TEITLEBAUM. All right.

CHAIRMAN. Get down to something concrete.

Mr. TEITLEBAUM. This is concrete.

The CHAIRMAN. Very well.

Mr. TEITLEBAUM. If this is not acceptable to you to want to try to get the information that I am trying to give you——

The CHAIRMAN. I do not care anything about you, sir.

Mr. TEITLEBAUM. That is all right, sir. I do feel considerably about you, just the same.

The CHAIRMAN. Very well.

Mr. TEITLEBAUM. I have come here feeling my duty clear and at great personal sacrifice of all that I have represented, and I don't like to get it distorted to the degree where it can not be recognized.

The CHAIRMAN. It is not going to be distorted, so far as the committee is concerned.

Mr. TEITLEBAUM. Yes, sir. Having made that charge, I recognized how serious it was. I had, through Dudley Field Malone, waited on our department here. Through Mr. Wright I had interested him to try to get Mr. House. I tried to work through Mr. Wright in getting down in this Iturbide matter and trying to bring it to the attention of the department. I did not know how serious a situation it was. I have made an effort to do so with Secretary Lansing, and with a letter of introduction to him from Dudley Field Malone, and I did not succeed in doing so. I have made these same charges in the open in seven cities two years ago, in which I have sent them copies of the addresses I was going to make, including Mr. Conova, to gainsay the truth of the charges I was making.

The CHAIRMAN. And he did not do it?

Mr. TEITLEBAUM. He did not do it.

The CHAIRMAN. All right, sir; go ahead.

Mr. TEITLEBAUM. I had known Mr. Conova in Mexico. He asked me up here to give him a report of what I had done down there, and said instead of saying what I had done I was making recommendations, and I will not read it to you, Senator, since it is not acceptable.

The CHAIRMAN. If you have anything that you did there, any fact, it is perfectly acceptable. So far as your recommendations or policies are concerned, based on the past or any acts of Mr. Conova, who is out of the department, I do not care anything about them.

Mr. TEITLEBAUM. He is not out, but he had occupied that same position for nearly two years, and as to what part he played I have here a statement from the Associated Press:

Eduardo Iturbide, one of those often mentioned as a compromise candidate for the presidency, joined the diplomats at the Argentine Embassy for a brief conference. He is a grandson of Iturbide, the Liberator, and was governor of the Federal district of Mexico City during the last days of Huerta's régime, and was instrumental in helping Americans. His candidacy has been opposed by both Carranza and Villa.

The CHAIRMAN. Why did you oppose him?

Mr. TEITLEBAUM. Because he stood in the way of composing the differences between the factions that I felt were absolutely necessary for the people.

The CHAIRMAN. All right. He has been eliminated. Were their differences ever composed?

Mr. TEITLEBAUM. They were not, because the proper effort was not taken, and Mr. Conova was to a very great measure responsible for it.

The CHAIRMAN. All right.

Mr. TEITLEBAUM. Because I know that they could have been, because I myself had brought Mr. Arradondo and Mr. Urana together two or three days before the A. B. C. conference met here, and I know that they had pledged to each other to make every effort to have the factions get together, and Iturbide was again in the end used for an excuse for their not having got together.

The CHAIRMAN. What was the proposition on which they were to get together? You were acting for them. What proposition did they have upon which they could have gotten together?

Mr. TEITLEBAUM. To settle their differences.

The CHAIRMAN. How?

Mr. TEITLEBAUM. That was up to them to do. They had that means when they were gotten together, which I did in an automobile on the stormiest night I have ever known, and I fell asleep. I could not understand what they were saying. I did not want to understand it. I knew it was necessary for them to simply have a heart to heart talk, which they did.

The CHAIRMAN. You know they did, do you?

Mr. TEITLEBAUM. I do, because I was a party to it and brought the two factions together. And had it not been for having shifted all responsibility on to the Latin American A. B. C. conference, I am satisfied they would have got together.

The CHAIRMAN. What A. B. C. conference do you have reference to?

Mr. TEITLEBAUM. There was only one conference that was called the A. B. C. conference. That was the conference of Argentine, Brazil, and Chile, and the other three. I think there were three other countries from South America in it. I am trying to point to the mistakes that we have made.

The CHAIRMAN. I know, but you are telling us about the efforts that were made, and you are mistaken about your facts. The A. B. C. conference was the Niagara conference, between representatives of Carranza and the United States. The conference of the Central American States is the conference you referred to, to which the A. B. C. was invited or asked an audience.

Mr. TEITLEBAUM. Your memory serves you better than mine.

The CHAIRMAN. Yes; considerably.

Mr. TEITLEBAUM. Yes, sir; I wish I had it.

The CHAIRMAN. Well, if you had the record and the facts, they would serve you, and you would not have to simply rely upon your memory.

Mr. TEITLEBAUM. But you know just what I mean.

The CHAIRMAN. I do not know, Mr. Teitlebaum, what you mean. For instance, you give this committee a lot of stuff about Salazar, when the committee has the official record about Salazar.

Mr. TEITLEBAUM. I beg your pardon.

The CHAIRMAN. I am referring to that as one matter, because you dwelt upon it in your letter to Mr. Bryan.

Mr. TEITLEBAUM. I simply called attention to it, but it was yourself, if you will permit me to make the statement, who particularly referred to it.

The CHAIRMAN. It was myself who referred to the record. I am referring to the record again to correct you when you say there was

only one A. B. C. conference. I am trying to get you straightened out so you may proceed. What took place at that last conference, the A. B. C.? Did you have anything to do with that?

Mr. TEITLEBAUM. No, sir; I did not.

The CHAIRMAN. Do you know anything about it?

Mr. TEITLEBAUM. I know enough about it to know that the American Government's hand was forced, and they did not want to recognize Carranza.

The CHAIRMAN. Now, you have made a statement. I want your facts. Upon what do you found the statement that the hand of the American Government was forced and who forced it? Now, please answer that.

Mr. TEITLEBAUM. I will try to do that, Senator, in an appropriate manner. In an Associated Press report——

The CHAIRMAN. What are you reading from?

Mr. TEITLEBAUM. The Globe.

The CHAIRMAN. What Globe?

Mr. TEITLEBAUM. The New York Globe.

The CHAIRMAN. A newspaper published in New York?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you not suppose, Mr. Teitlebaum, that the committee had access to the Globe as well as you had?

Mr. TEITLEBAUM. I can not help it. I am making certain statements, and I want to try to verify them, since you have asked for proof. It simply says:

The Latin American diplomats had a series of conferences among themselves to-day before they resumed their conferences at the State Department. They covered their deliberations with the same secrecy as was thrown about yesterday's meeting. The diplomats met at the Argentine Embassy and later proceeded to Secretary Lansing's office.

I think you will see that, in view of the fact that certain statements and promises were made to Gen. Angeles, through Dudley Field Malone——

The CHAIRMAN. What promises were made to Angeles through Dudley Field Malone?

Mr. TEITLEBAUM. That the United States Government did not intend, and had not in mind, to recognize either faction to the trouble in Mexico.

The CHAIRMAN. When was that done?

Mr. TEITLEBAUM. That was done probably a couple of weeks before Carranza was recognized.

The CHAIRMAN. How do you know it?

Mr. TEITLEBAUM. I was in the conference at the Hotel Knickerbocker with General and Mrs. Angeles and Dudley Field Malone.

The CHAIRMAN. Gen. Angeles—Felipe Angeles?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And his wife?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And Dudley Field Malone?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And did Dudley Field Malone convey to Gen. Angeles the assurance that the American Government would never recognize either faction?

Mr. TEITLEBAUM. There were two meetings. At one of them Gen. Angeles had explained to Mr. Malone, for the President, the attitude and position of the Villistas, with his own statement and deductions, or rather conclusions, saying that it was his belief that neither faction should be recognized; that no man having taken part in military operations should be permitted to aspire to the presidency; that he himself would pledge himself not to do so, and if it was advisable he would withdraw himself from the country.

The CHAIRMAN. You were present, were you?

Mr. TEITLEBAUM. I was present.

The CHAIRMAN. In what capacity was Mr. Malone present?

Mr. TEITLEBAUM. It was through Mr. Wright that Col. House was asked to meet Gen. Angeles, and he, I think, had Mr. Malone take his place.

The CHAIRMAN. Very well. Now then, Gen. Angeles stated that in his opinion no military man from either faction should be recognized as President?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Then, there was another conference, was there not?

Mr. TEITLEBAUM. Then Mr. Malone had come down to Washington, for the day, I think, the President came from, I think it was New Hampshire, and met him here, and he came back to New York expressing the comments of the President, and the statement that it was not his intention, and thanking Gen. Angeles for the information that he had given, and that it was not the intention to recognize either faction, or something of that effect.

The CHAIRMAN. Gen. Angeles did not object to the recognition of the factions, but he objected or thought it best not to recognize as President a military man in either faction?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who did Gen. Angeles think it was best to recognize?

Mr. TEITLEBAUM. He did not say.

The CHAIRMAN. And the President replied, through Mr. Malone, as you understood it, that he, the President, was not going to recognize either faction?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did he say what he was going to do?

Mr. TEITLEBAUM. No, sir; but Gen. Angeles went back and reported to his convention, or the people who sent him, the representatives to the peace conference from which he was invited by the Government, and not more than two weeks thereafter President Carranza was recognized. In view of that Associated Press report I made the statement that the Government's hand was forced.

The CHAIRMAN. But that states nothing about the Government's hand being forced.

Mr. TEITLEBAUM. Well, I think the fact of the promise having been made by the Government itself, there was no other excuse that I could see, even though I didn't have that version coming from the Associated Press.

The CHAIRMAN. What man did you favor at that time between the factions?

Mr. TEITLEBAUM. I didn't favor anybody. I didn't think it was my place.

The CHAIRMAN. What solution did you offer to Mr. Malone and Gen. Angeles, of the problem, if any?

Mr. TEITLEBAUM. I didn't offer any. It was simply to urge both sides to help to compose their differences and get together. For that purpose I had made other trips to Mexico and had put my life in danger.

The CHAIRMAN. When?

Mr. TEITLEBAUM. I think it was in November, 1914.

The CHAIRMAN. After the recognition by this Government of the Carranza Government? The recognition of this Government of the Carranza Government took place on the 9th or 19th of October, 1915. Was it after that or before that? Was it November, 1914, or November, 1915?

Mr. TEITLEBAUM. It was 1914.

The CHAIRMAN. Where did you go then?

Mr. TEITLEBAUM. I went to Vera Cruz, and from Vera Cruz to Mexico City.

The CHAIRMAN. That was prior to all this Angeles matter you were talking about, was it?

Mr. TEITLEBAUM. Yes, sir. I was very anxious then to try to serve in that capacity, because there had been——

The CHAIRMAN. In what capacity?

Mr. TEITLEBAUM. In trying to bring them together.

The CHAIRMAN. Who did you see?

Mr. TEITLEBAUM. I saw Mr. Carranza.

The CHAIRMAN. Where did you find him?

Mr. TEITLEBAUM. I found him at Mexico City, and then went to Puebla, and it was in Puebla that I had a conference with him.

The CHAIRMAN. With whom?

Mr. TEITLEBAUM. With Mr. Carranza, and Mr. Cabrera acted as interpreter.

The CHAIRMAN. Luis Cabrera?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Present Minister of Hacienda?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. He did not represent any other faction, did he?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. You did not represent any other faction?

Mr. TEITLEBAUM. No, sir; but I had tried to see both sides.

The CHAIRMAN. That was one side.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who else did you see?

Mr. TEITLEBAUM. On the other side I saw Gen. Angeles and his followers.

The CHAIRMAN. Where did you see him?

Mr. TEITLEBAUM. At Aguascaliente, at the convention.

The CHAIRMAN. What did you say to Carranza and Luis Cabrera?

Mr. TEITLEBAUM. That I thought that the peace of Mexico and the peace of the United States depended on their composing their differences.

The CHAIRMAN. Did you suggest how they could compose their differences?

Mr. TEITLEBAUM. No, sir; with the exception of to try to be charitable for each other's faults, and they being brothers, having fought for the revolution, and having won it, that they ought to get together.

The CHAIRMAN. You went to Aguascaliente, and there you saw Angeles and members of the convention?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who else did you see besides Angeles?

Mr. TEITLEBAUM. I saw Zapata's representative, I saw Villa, I saw most of the leaders on the other side.

The CHAIRMAN. Did you make a proposition to them?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you tell them you had seen Carranza and Luis Cabrera?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What proposition did you make to them, or to Angeles?

Mr. TEITLEBAUM. The same that I had made to the First Chief, Venustiana Carranza: I had but one song to sing in Mexico, and that was harmony.

The CHAIRMAN. Did you tell them who you represented?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Whom did you represent?

Mr. TEITLEBAUM. Myself.

The CHAIRMAN. All right. What happened?

Mr. TEITLEBAUM. There was not anything that happened, with the exception that Gen. Angeles told me, as he told me since, that had I been there 24 hours before I was probably they would have tried to see my recommendation.

The CHAIRMAN. Did he mean he would have tried to carry out your suggestion?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. The song that you had to sing?

Mr. TEITLEBAUM. Yes, sir. But as the convention had already elected Guertterrez as president, he was powerless to do anything then.

The CHAIRMAN. You knew that Gen. Angeles later did try to compose the differences between the factions, did you not?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. He was one of the organizers of the liberal party here in this country, was he not?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know the result to him when he undertook to get these people together in these different factions?

Mr. TEITLEBAUM. The ultimate result, yes, sir.

The CHAIRMAN. That is where he found himself [handing witness a photograph], and that is his latest picture.

Mr. TEITLEBAUM. There was one of God's noblemen, if ever there was one, so far as I was able to see.

The CHAIRMAN. Do you know under whose orders he was executed?

Mr. TEITLEBAUM. No, sir. I know we could do nothing that would bring him back. It is a case of not sending any more than is necessary to follow him, that is all. I knew the man to be as great a patriot as any I have known.

The CHAIRMAN. Did you know any of those men who composed the court-martial that tried Gen. Angeles, shown in that photograph, where he appears before them?

Mr. TEITLEBAUM. From the photograph I can not very well make out. I can not tell that is Angeles. I suppose it is him standing there.

The CHAIRMAN. Have you ever heard of Gen. Gabriel Gavita?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You have heard of him?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know under whom he holds a commission?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Do you know what faction he represents?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Do you know to whom the members of that court-martial claim allegiance in Mexico?

Mr. TEITLEBAUM. I suppose to Carranza. No, sir; I don't know.

The CHAIRMAN. Did you hear or have you heard that the court-martial itself telegraphed to the City of Mexico, with reference to their verdict, before they found it? You seem to think very highly of Gen. Angeles. Did you know the court-martial which sentenced him to death, and caused his execution, prior to pronouncing sentence upon him, and instructions from any higher authority?

Mr. TEITLEBAUM. No, sir; but I would not be surprised that they did. I know I sent a cablegram to Carranza asking him to spare him.

The CHAIRMAN. Did you receive an answer?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. What is this that you have handed me?

Mr. TEITLEBAUM. That is a photograph of Gen. Angeles; and the reverse side, if you don't mind looking at it—perhaps you can translate it better than I have it.

The CHAIRMAN. If you can not read Spanish, I expect I could make a better translation of it than you could, if it is written in Spanish.

Mr. TEITLEBAUM. I do not read Spanish. The translation is not very long:

To my dear friend, Mr. Teitlebaum, with my sincere wishes for the success of his work toward strengthening the ties of friendship between our two sister nations,

The CHAIRMAN. Yes; that is substantially correct.

Mr. TEITLEBAUM. I had it from Mr. Bonillas.

The CHAIRMAN. Bonillas, the ambassador to the United States from Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did Mr. Bonillas, the ambassador to the United States and representative of the Carranza Government, join in your efforts to save the life of Felipe Angeles?

Mr. TEITLEBAUM. No, sir. After Mr. Carranza was recognized, I addressed a letter to Mr. Lansing on October 20, 1915:

I sincerely hope that the Government's abandonment of its persistent insistence that the factions in Mexico compose their own differences does not prove to be the greatest of all the succession of errors that has been committed by the United States in its Mexican policy.

The step of recognizing either faction having taken, the need for harmonizing and getting them together is more pronounced than ever.

Unless my limited individual campaign, in its devoted endeavor for an early and necessary restoration of confidence and good will between the neighboring countries for the safety and welfare of both peoples interferes with the work of your department, I propose instead of doing aught to encourage my fears to follow duty and continue to exert every honorable effort to minimize the result of charges of bad faith made by leading Mexicans that American promises and acts do not parallel.

That is why I say, sir, that we did not keep faith.

The CHAIRMAN. What promises did we make?

Mr. TEITLEBAUM. I told you the promises that were made through Mr. Malone.

The CHAIRMAN. Those are the promises you refer to?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And because we did recognize Carranza, that is a violation of the promise you refer to, is it?

Mr. TEITLEBAUM. That is one of them. I had been under more obligations to Mr. Carranza than all the others put together, in courtesies I had received, but I recognized with Gen. Angeles the great mistake that would be committed by either side being recognized.

The CHAIRMAN. Who was to be recognized, if anyone? They would not have any government under your suggestion. Did you propose to form a government or have a government down there?

Mr. TEITLEBAUM. I wanted the Carrancistas, the Zapatistas, and the Villistas to get together in the convention which they had left in Aguscaliente and agree on the man whom they wanted. It was not for me to say as to who they should have or should not have.

The CHAIRMAN. They did do that, did they not?

Mr. TEITLEBAUM. No, sir; not that I recall.

The CHAIRMAN. There was a man elected or appointed by that convention as President of Mexico.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you ever know Eulalio Gueterrez?

Mr. TEITLEBAUM. Yes, sir. That was before that. That is when Gen. Angeles said had I come 24 hours before that it might have been done. Forty-eight hours after that convention elected Gueterrez the Villa forces had started to take the field.

The CHAIRMAN. The Villa forces were supporting Gueterrez, were they not?

Mr. TEITLEBAUM. Yes, sir; they were before that.

The CHAIRMAN. He was the man supported by the convention?

Mr. TEITLEBAUM. Yes, sir; he was, but the Carranzistas did not recognize him, and he telegraphed, asking both Carranza and Cabrera with whose consent had I went to the Aguascaliente convention.

The CHAIRMAN. But you asked them to recognize Eulalio Gueterrez?

Mr. TEITLEBAUM. No, sir; I had not. He was recognized while I was on the way over there.

The CHAIRMAN. You did telegraph them suggesting that in the interests of peace and harmony they should?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you telegraph them suggesting they should recognize Gueterrez?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you receive an answer?

Mr. TEITLEBAUM. No, sir. I don't know that it ever reached them.

The CHAIRMAN. Before we get away too far from the question, you have been giving us some information with reference to the efforts of Gen. Felipe Angeles. Were you at all familiar with the organization of which Gen. Felipe Angeles was elected president, of which there were various juntas in different cities in the United States in 1917 and subsequent to that time?

Mr. TEITLEBAUM. No, sir. I tried not to work with either faction at the time.

The CHAIRMAN. Well, you knew there was such an organization, did you not?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you know what the name of it was?

Mr. TEITLEBAUM. I don't recall it now.

The CHAIRMAN. Did you know what its purpose was?

Mr. TEITLEBAUM. It was to bring the factions together.

The CHAIRMAN. Was it not a unification of all political refugees against the Carranza government and to bring about an adjustment of the troubles in Mexico without bloodshed?

Mr. TEITLEBAUM. Well, I did not know that that embraced the Cientificos. I think probably it had others besides the Cientificos.

The CHAIRMAN. Do you know Enrique C. Llorente?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know Enrique Santibanes, of New York City?

Mr. TEITLEBAUM. I don't know him by name.

The CHAIRMAN. Do you know J. F. Del Valle, of New York City?

Mr. TEITLEBAUM. Not by name.

The CHAIRMAN. Do you know Felipe Riveros, Antonio P. Rivera, Adolfo M. Azueta, Manuel Lcasa, sr., Rosenda Garza, Bernardo Escobosa, and Arnoldo Ceballos, or either of them, of San Francisco, Calif.?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Do you know Samuel Gandara, Manuel Arriola Adame, Rogerio A. Silva, Enrique Cisneros, and Francisco Placencia, or either of them, of Philadelphia?

Mr. TEITLEBAUM. No, sir; I do not.

The CHAIRMAN. Do you know Roque G. Garza, of San Antonio, Tex.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know Ismael Palafox?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. You do not know who he represents?

Mr. TEITLEBAUM. I think I probably know Ismael Palafox.

The CHAIRMAN. Do you know Andreas L. Farias, Matias C. Garcia, Francisco Olicares, Jose G. Nieto, and Jesus P. Flores, of San Antonio, or either of them, all of San Antonio except Matias C. Garcia?

Mr. TEITLEBAUM. I know Gonzales Garcia.

The CHAIRMAN. There were two brothers?

Mr. TEITLEBAUM. I know both of them.

The CHAIRMAN. One was known as Gonzales Garcia and the other Matias Garcia?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know Jesus Santos Mendiola, Antonia Valdeez, Rafael Trujillo, Juan Jose Gomez, Adolfo F. Farias, Enrique Miranda, and Jose Luna, or either of them, of Laredo, Tex.?

Mr. TEITLEBAUM. Not that I recall, but there were thousands of them—or hundreds—that I know, that I do not know their names. I was only concerned with the men at the head.

The CHAIRMAN. I am trying to get at the head, because these men were the official heads of the movement.

Mr. TETLEBAUM. I don't know much of anything about the movement, with the exception that I know that there was an organization perfected by Angeles and somebody else.

The CHAIRMAN. Did you know Antonio I. Villareal?

Mr. TEITLEBAUM. I think so.

The CHAIRMAN. You do not know whether you know him or not?

Mr. TEITLEBAUM. No, sir; I do not. I think, if it is the same party I have in mind in San Antonio, that I know him.

The CHAIRMAN. At this convention that you attended in the interest of harmony, who was president of it?

Mr. TEITLEBAUM. I don't know, sir, who the president was, but they had elected Guerterrez as President.

The CHAIRMAN. He was elected President of the Republic of Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know whether any of those there at the time belonged to the revolutionary junta of Mexicans organized in 1905 in the United States?

Mr. TEITLEBAUM. No, sir; I do not. That was way ahead of my time.

The CHAIRMAN. Well, it may be, but you are trying to give this committee information about Mexico.

Mr. TEITLEBAUM. I am trying to give the committee information about facts I have.

The CHAIRMAN. In connection with the testimony of this witness the chairman of the committee will file with his testimony the report made to the committee on the Felipe Angeles movement in the United States, organized in 1917, continued until his death, and supposed yet to continue. This report contains the names of the officers in the United States, contains various letters, contains the declaration of principles, containing references to Angeles's statement when he entered Mexico, and his convocation and address to the Mexican people as to his purposes, together with the constitution and laws of the Mexican liberal alliance. This is not to be printed in the record, but filed as a part of the testimony of this witness.

(The document referred to is herewith filed as a part of the testimony of this witness.)

Mr. TEITLEBAUM. So you see that it was not that I tried to play any part in making Mr. Carranza president, or Gen. Angeles, or anybody else.

The CHAIRMAN. I was wondering what you proposed to do.

Mr. TEITLEBAUM. When they get together, let them say, as long as they approach the program with the proper spirit. That is all that was necessary.

The CHAIRMAN. Obregon, Villa, Zapata, representatives of all the factions in Mexico, those who had fought with them for the recognition of Carranza in Mexico, those who were opposing Huerta in arms, all got together in a convention, and the outcome of that was the election of Guertierrez as president by the convention.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You attended the convention? You were trying to get them together, and the only people who would not get together were Carranza and Luis Cabrera?

Mr. TEITLEBAUM. Very true. Now, then, I will give you a sequel to that, and here is where I have placed my life between the teeth to bring harmony, even after that.

When Eulalio Guertierrez was elected, the Villa forces had marched toward Mexico City. In my talk that I had with Mr. Guertierrez he said that he would be very glad to step aside, as long as he stood in the way and was not acceptable to the Carrancistas. I applauded his stand, and knowing as to what Gen. Angeles had said in regard to my appearing late on the scene, too late for what he did, I took an overland trip to get into the Carranza camp, and bring the matter to the attention of some of the leaders on the side of the Carrancistas. I went down to Santa Maria, from Gueretaro, and at that place I had occasion to have a second man shot for misappropriating property.

The CHAIRMAN. You had occasion to have him shot?

Mr. TEITLEBAUM. That is, the occasion of one of the men being shot.

The CHAIRMAN. What business was it of yours?

Mr. TEITLEBAUM. It happened to be that he had appropriated one of my bags.

The CHAIRMAN. And you saw that he was shot?

Mr. TEITLEBAUM. No, sir; I didn't see that he was shot. He was a paymaster in the army, a very handsome, fine-looking fellow. Part of the forces were ordered from Santa Maria eastward, and I discovered that one of my grips was gone. Somebody had suggested that the man had gone with those forces eastward, and I took the train, as they were on horseback, to try to recover my grip. When I got to that point I had several telegrams that they did find my grip, and to come back. There are some of the telegrams. I took the train back, and I found that the man was sentenced to be shot in the morning. I plead with the commandant in charge, and thought I had succeeded in saving him, and several hours afterwards he told me I would have to choose between them, that he had his orders and had to report on this man being executed by 9 o'clock.

The CHAIRMAN. What did he mean by saying you had to choose between them?

Mr. TEITLEBAUM. That was what he had said. Whether that he intended to take his own life, or not, I don't know but his advisers had evidently showed him that he could not be in the military without he obeyed those orders, and it was too late for me to be able to get word to President Guertierrez and try to intervene for him, and the boy was shot.

I have here the mute evidence, consisting of a part of the coat, with the bullet holes, of another boy, who was shot at Aguascaliente for having stolen tools from an American concern. There are four or five places where the bullets entered the boy's body, and there is his life blood. I want to offer that simply as proof of the statement that no penalty is exacted of Mexicans for things that they do.

The CHAIRMAN. You mean you want to offer that as a refutation of that statement?

Mr. TEITLEBAUM. Refutation. Thank you, sir.

The CHAIRMAN. Did you ever know of one being shot for killing an American?

Mr. TEITLEBAUM. No, sir; but I haven't any doubt but what they don't make any more ceremony on some of those than they did on these two boys.

The CHAIRMAN. You had no occasion to know that, did you?

Mr. TEITLEBAUM. No, sir; but I am bringing this to you, sir, for this purpose: Because I myself could not serve either of these boys, and I want their spirit and the spirit of the Americans and the Mexicans who had so needlessly lost their all, including Gen. Angeles, to have it serve the purpose for which I am here before your committee.

The CHAIRMAN. What is the purpose? What do you have in mind? What do you want to do? Let us proceed and see if we can not get at what you want by question and answer.

Following all this you have just testified to, the Government of the United States, in October, 1915, recognized the de facto government. In 1917 they sent an ambassador and recognized the Carranza Government officially. Since that time they have continued to recognize the Carranza Government. Those are the conditions existing up to this time. The Carranza Government is still recognized?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What is it that you want to tell the committee to throw light on the Mexican question? What do you want done?

Mr. TEITLEBAUM. I respectfully suggest the appointment of an international commission, whose province would be to pass on all these depredations that were committed and lives taken on either side of the border.

The CHAIRMAN. What do you mean by "an international commission"?

Mr. TEITLEBAUM. An international commission of, for instance, a high court of both Mexicans and Americans, to see just what the situation is and to find out just how for it reaches; instead of trying to cover certain graft of people higher up, particularly on the American side, that they should get down to it as far as it is possible to do.

The CHAIRMAN. What have you reference to when you say "particularly on the American side"?

Mr. TEITLEBAUM. Because I know that a very large number of our representatives were responsible that certain crimes were committed and punishment condoned for it, if they did not father it.

The CHAIRMAN. Get down to something concrete. What are you talking about?

Mr. TEITLEBAUM. I am talking about raids.

The CHAIRMAN. Do you mean raids on this side of the border, or raids from this side over on the other?

Mr. TEITLEBAUM. Both sides.

The CHAIRMAN. I want to know what raids you have reference to, organized on this side of the river at any time, or brought about in any way by any individual or combination of individuals or any other concern, which resulted in injury to anyone on the other side of the river. Just give us an illustration of one case.

Mr. TEITLEBAUM. My testimony is directed to tracing those raids, Senator, because those people higher up can tell us betted when they are going and what method they will use to do that.

The CHAIRMAN. You would not make a statement with reference to raids from this side to the other side unless you had something back of it?

Mr. TEITLEBAUM. I don't mean any Americans raiding Mexicans. I mean Mexicans being hired by Americans to do the raiding.

The CHAIRMAN. What do you mean by that?

Mr. TEITLEBAUM. I have not the data on that; but here is a resolution that several of us had drafted in San Antonio with a view of holding a public meeting to indorse the stand:

We recognize that America's greatest contribution to an early and lasting peace in Mexico lies in discouraging the practice of using American soil to foment and breed further disputes in our sister Republic.

The CHAIRMAN. Does that have reference to your efforts in furthering the Madero revolution?

Mr. TEITLEBAUM. No, sir. It says:

Whereas the President of the United States has honored our State and the city of San Antonio by selecting Mr. Duval West, one of our foremost citizens, as his personal representative to aid, as far as may be consistent with our neutrality and declared policy of nonintervention, in suggesting a just basis upon which the people of that Republic may settle the differences which are now causing internal war and fratricidal strife within her borders.

The CHAIRMAN. What had that to do with the statement you made with reference to Americans employing Mexicans to raid the other side?

Mr. TEITLEBAUM. Just as sure as I am of knowing that it is daylight, now, Senator, that many Americans that have been filled with bullets that were brought in there ostensibly to use on Mexicans that were used on Americans. Unfortunately, I myself have it in my heart in having helped the best I could to remove that.

The CHAIRMAN. That has nothing to do with the question.

Mr. TEITLEBAUM. It has this to do.

The CHAIRMAN. You answer the questions I propound to you. I asked you what you know, what information you have, what leads you to make the charge of a most serious nature that Americans have been raiding or causing to be raided Mexican soils, resulting in the death or injury of any person in Mexico or the robbery or stealing of any property in Mexico?

Mr. TEITLEBAUM. That is an absolute conviction based on the knowledge of the general situation, and I say I am just as certain of it as I know I have got a little gray matter. I have not seen it, but I think I have it.

The CHAIRMAN. You must have some foundation for it.

Mr. TEITLEBAUM. I have.

The CHAIRMAN. What is it?

Mr. TEITLEBAUM. Just the general natural cussedness——

The CHAIRMAN. Of yourself?

Mr. TEITLEBAUM. All right, sir; of myself.

The CHAIRMAN. Exactly just the disposition——

Mr. TEITLEBAUM. Of some financial interests, sir, who would stoop to anything.

The CHAIRMAN. That is an infamous accusation, unless you can prove it. If you have any proof of this I want you to give it to this committee. Have you anything to substantiate that?

Mr. TEITLEBAUM. I will be able, if you want to, to get you the proof. I will set myself to bring it.

The CHAIRMAN. You came here with an armful of papers.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You came at your own request to make a statement.

Mr. TEITLEBAUM. I did, am I am making it, and I will give you what I have in connection with it.

The CHAIRMAN. You joined other people in making such an accusation, and I want some substantiation of it. Are you prepared to give it?

Mr. TEITLEBAUM. I am trying to give it to you now. I didn't take part in some of these things, and I can't give them to you. I am making it as a general charge.

The CHAIRMAN. Upon what do you found it?

Mr. TEITLEBAUM. On my own knowledge of the general situation, just the same as I know it is daylight now.

The CHAIRMAN. Then give us the facts. Give us any facts, any information within your knowledge.

Mr. TEITLEBAUM. If you want facts on that particular thing, I will set myself to get them for you, sir, and I will be able to get them for you.

The CHAIRMAN. What have you been doing for eight years?

Mr. TEITLEBAUM. I have not taken part in that industry.

The CHAIRMAN. The committee will not sit here and listen to such representations of stuff as you are now repeating, unless you will give your foundation for it, and give the committee something upon which they can act.

Mr. TEITLEBAUM. All right. We will go to something else.

The CHAIRMAN. No; I want that right now.

Mr. TEITLEBAUM. I promise to get it.

The CHAIRMAN. I want it now.

Mr. TEITLEBAUM. I can't give it to you now.

The CHAIRMAN. Then the committee declines to hear you any further, sir.

Mr. TEITLEBAUM. All right, sir. I thank you very much for your courtesy and patience. I would like real well to have this to the end, because I believe there is much good to come from it, if we approach it in the proper spirit, but it does not always serve our purpose.

The CHAIRMAN. You have paid your expenses, in connection with your Mexican investigation, have you not?

Mr. TEITLEBAUM. Yes, sir; I have made for some time to come on this

The CHAIRMAN. The committee has in its possession a good deal of information respecting the financing of similar matters.

Mr. TEITLEBAUM. That is all right. I don't blame the committee for asking the questions, and I am very glad you state it frankly, because I believe that is the only way to get any results.

The CHAIRMAN. The committee declines positively to listen to vague accusations, for which you do not submit the proof.

Mr. TEITLEBAUM. I think I have enough other matter I can give you tangible evidence on.

The CHAIRMAN. Tangible evidence of what? Give us tangible evidence of anything and we will listen to you.

Mr. TEITLEBAUM. I have been furnishing you evidence, but it is not acceptable to you. I can furnish you tangible evidence.

The CHAIRMAN. Evidence of what?

Mr. TEITLEBAUM. The chairman of this committee.

The CHAIRMAN. Very well. Now, let us have it.

Mr. TEITLEBAUM. I did not come prepared for that, but I find that at our conference yesterday, which I did not expect, I have something on it. I simply want to say that so far as I am able to see, that I have some clippings here and statements and addresses made by him from the time Madero, that the chairman has not been in sympathy with all the efforts made by Mexicans or kept the spirit of neutrality.

The CHAIRMAN. The chairman has never been in sympathy with evidence from a man who is not a citizen of the United States, not in any official position, who interferes with the affairs of a foreign country, where it might drag this country into some action, whether that action might be beneficial or not. The chairman has never had any sympathy with any movement of that kind or any person of that kind. Now, you have made a statement that is something concrete. You state that you have information with reference to the chairman of this committee. Now, give it.

Mr. TEITLEBAUM. All right. Do you want me to quote the speeches that you have made at various times?

The CHAIRMAN. Where? When?

Mr. TEITLEBAUM. At different places, in New York. Here is one.

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says:
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who are trying to bring some organized government out of Mexico and without embroiling us in the end and saving our boys from having to go down there, with the consequent loss of blood and treasure, because there is no man that has been in the position that the chairman of this committee has been in for doing the things that this Mexican situation would never be in the shape that it is in, except for the chairman of this committee, I think, and the heart of this country, W. R. Hearst.

The CHAIRMAN. What is your purpose in reading that newspaper clipping?

Mr. TEITLEBAUM. To simply show you that. There is another.

The CHAIRMAN. Just confine yourself to answering the questions.

Mr. TEITLEBAUM. To show the chairman is not in sympathy with me in attempting to get at what I am trying to get at.

The CHAIRMAN. I admit that in the record. I am not in sympathy with you.

Mr. TEITLEBAUM. All right.

The CHAIRMAN. Now, go back and answer the question. What is your purpose in reading that clipping?

Mr. TEITLEBAUM. For the purpose that I say, that it appears to me that the chairman holds a grouch against those people, which endangers the good will and sympathy and confidence between the two nations.

The CHAIRMAN. What is that clipping? Read it again, to yourself. You need not read it aloud. How does it apply? What are you talking about?

Mr. TEITLEBAUM. I read it as evidence of what I said.

The CHAIRMAN. Just read it and answer the question.

Mr. TEITLEBAUM. I only want to use it as proof in regard to the chairman's position, Senator.

The CHAIRMAN. What proof is it?

Mr. TEITLEBAUM. And with the best of feeling and kindness in the world.

The CHAIRMAN. What proof is it? You have read a resolution which was adopted after the speech of the chairman.

Mr. TEITLEBAUM. You make it impossible for me to follow it. When there is a chance of leading up to something, it is diverted in another direction instead of following it along certain lines.

The CHAIRMAN. That is absolutely untrue. The chairman has exhibited the utmost patience with you, sir, and will continue to do so, on any line you may desire along this subject; but I want to know what your conclusion is from this resolution you have just read. What do you think about it? Upon what do you base your conclusion?

Mr. TEITLEBAUM. I think that the meeting at which the chairman spoke was certainly not in sympathy with trying to help compose the differences.

The CHAIRMAN. Well, read that resolution again. I asked you to read it. Now, see what it says.

Mr. TEITLEBAUM. That was, sir, at the time when one of the men who was most responsible for the trouble of Madero, and an accredited representative who was withdrawn and recalled for the dirty work he had done.

Following Senator FALL's speech, the society adopted resolutions congratulating Ambassador Wilson upon "the ability, patience, and courage" he has shown in the recent crisis, and expressing hope that the Mexican "patriots who are fighting to establish and maintain a constitutional government" will succeed.

By "constitutional patriots" is not meant either faction to the revolution, and neither have I seen anything at all that I have had occasion to observe where the chairman has done the thing to bring those relations which he is in such an excellent position to bring.

The CHAIRMAN. Were you opposed to the recognition of the Huerta government by this Government?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you not know that speech was made in answer to a speech by Henry Lane Wilson, in which Mr. Wilson advocated the recognition of Huerta and the chairman opposed it?

Mr. TEITLEBAUM. Is that so? I am very glad to have you give me that information. Quoting yourself:

Not one member of the prominent families, the white class, of Mexico has taken part in upholding the hands of either Diaz or of Madero. None of these answered Madero's call for volunteers. Now, if prominent Mexicans will not uphold the hands of a strong government, what can they expect for their country?

Everybody acquainted with conditions in Mexico knows that if universal suffrage were established there to-day Zapata would be elected against all other candidates. Everybody knows that the overthrow of a strong government in Mexico means anarchy. The army? The army to-day is drinking pulque. While Gen. Huerta was fighting the revolutionists, 3 miles miles from the line, 447 bridges were burned on the railroad south of Juarez, and bandits were catoped nearby feeding on beef stolen from the cattle companies. No attempt was made to drive them out. When some of these bands surrendered useless guns they were immediately pardoned by Gen. Blanco, permitted to keep the horses they had stolen, and equipped with modern rifles. When the victims of their depredations complained and threatened to report them, they replied that they were working for Huerta and Blanco.

All of these bands, it has been ascertained, receive support from socialists in San Diego, San Francisco, Los Angeles, Minneapolis, Sacramento, and Cleveland—militant socialists and anarchist organizations here, which have been supplying \$1,000 monthly for printing and circulating their revolutionary literature.

The CHAIRMAN. Do you know who those men were I have referred to as doing that robbing there?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. They were under the command of Gen. Salazar, whom you have referred to here.

Mr. TEITLEBAUM. As I have said before, and will show you again, that I personally have nothing against anybody who has done anything in connection with Mexico personally. But this has represented a great sacrifice to me, and I feel very proud of the little that has been given me to accomplish, with my limited influence, and I don't count my life any too much to contribute to it, in order to save any woman's son or any man's brother.

The CHAIRMAN. The chairman of this committee has been under very great provocation on one or two occasions, due to your having injected personalities into this hearing. The chairman has before him from his files a copy of a letter dated July 17, 1917, addressed to the President of the United States and an acknowledgment of the receipt

by the President of that letter and his thanks for it. Among other things in the letter the chairman states:

I am in thorough accord with the administration in the policy of nonrecognition of the Huerta government as a government, and my reasons for that are as follows:

And they follow at some length. The letter is quite full. There is a somewhat lengthy discussion of the reasons actuating the present chairman of this committee in agreeing with the policy of the administration in the nonrecognition of Huerta. The suggestions the chairman made were as follows:

In December, 1899 (?), the Secretary of State of the United States handed to the representatives of the Nicaraguan Government a note, in which it was declared that this country could no longer recognize the Zelayan (?) government. Zelaya (?) was at that time the duly elected and acting President of Nicaragua. Revolutionists were in the field in different parts of the Republic against him. We declared that we would hold each of the leaders in his district or that portion of the country over which he had declared control responsible for injury to the property of American citizens and also the lives and liberty and safety of such citizens. Of course, the United States could not adopt that course with Mexico, unless it had first been given power to use marines and soldiers, as this country had done with Nicaragua, to enforce that warning.

In August following that letter, 1 month and 10 days, the President of the United States came before the Congress of the United States and delivered a message in person. He followed that action on the same day by a cable communication to the consul general at the city of Mexico and all the consuls of the United States, telegraphed through the consul general directly from the State Department to the consuls in all the States of northern Mexico, which were then out of telegraphic communication with the city. In a message of the President of the United States to the Congress of the United States he stated that there was no government in Mexico, and this Government would notify every leader in Mexico, civil and military, in the district over which he assumed to have control that he would be held strictly accountable for the life, safety, and property of American citizens. Of course, I do not assume that the President of the United States was following literally the suggestions in this letter of the chairman of this committee to him on July 17. I have the phraseology of the originals from the State Department of each of the telegraphic instructions which were sent to the consuls of the United States and directed by the President to notify to every Mexican in all the different States of the Republic, in every district, to every authority, civil or military, that they would be held strictly accountable for the life, property, and safety of the American citizens. That was the suggestion made by the chairman to the President, in these exact words:

Now, those telegrams were sent out, of course, using those words, because they were expressive and he had the precedent for them. The speech which you have referred to was made at the request of certain officials of this Government in a joint debate with Henry Lane Wilson. He attacked the action of the administration in the nonrecognition of Huerta, and I, at the request of certain officials of the United States Government, answered that attack. And the resolution, while it indorses the action of Mr. Wilson, followed the lines of the speech which I had made.

I simply do that in justice to myself and to the committee. I care nothing about your attack upon me. I am now in the position of chairman of the committee.

Now, then, what else have you in reference to the chairman of this committee?

Mr. TEITLEBAUM. On that same line?

The CHAIRMAN. Let us have something else which induces you to believe that the chairman of this committee had done a great injury to Mexico and is now doing it.

Mr. TEITLEBAUM. I would much sooner not do it.

The CHAIRMAN. You made the accusation—a very serious accusation. Those charges have been made before, but no man has ever faced any citizen and produced any evidence of any kind or character on that subject. Now, you have made charges in reference to the chairman of the committee in the general, vague terms which are of a serious nature.

Mr. TEITLEBAUM. I am giving to you just what I have known the chairman to do—what he has said.

The CHAIRMAN. Well, what?

Mr. TEITLEBAUM. I did not come prepared on that score, because much of this material I have whipped into shape after coming up here, and after the conference we had yesterday and the position that I understood the chairman to take. I did find some expressions that occurred some time ago, speeches by the chairman, which did not show that he had been in sympathy. I am heartily sorry that I have brought any of this into this hearing. I am very grateful to you, and I am sorry to have hurt your feelings.

The CHAIRMAN. You have not hurt my feelings a particle.

Mr. TEITLEBAUM. I am rather sensitive, and I would like—

The CHAIRMAN. I am not at all so.

Mr. TEITLEBAUM. I would like to beg your indulgence a little further.

The CHAIRMAN. No. You started to refer to something else about the chairman. You spoke of expressions the chairman made. I would like to know what you refer to. The speech you are talking about as being made in New York was a speech made in Worcester and Boston, Mass. Now, go ahead.

Mr. TEITLEBAUM. Here is a statement in the New York Tribune, dated August 24, 1912, headed:

SENATOR FALL DENIES OWNING LAND IN MEXICO—ADMITS, HOWEVER, HE IS INTERESTED IN SOME MINES WHICH ARE "NOT ON A PAYING BASIS"—WAS GREENE'S ASSOCIATE—HAD SOME BUSINESS DEALINGS WITH CANANEA COPPER MAN, BUT DID NOT MARRY HIS NIECE.

WASHINGTON, August 23.—Charges that he was actuated by self-interest in an attempt to bring about intervention in Mexico, made in the Nueva Era, which is recognized as the Government organ in Mexico City, were characterized by Senator Fall, of New Mexico, to-day as being too ridiculous to merit comment.

The Senator denied that he had an interest in any land in Mexico and expressed doubt that, even if he had, the tortuous process of bringing about intervention to enhance its value would be successful. He said that he had an interest in some mines which were not on a paying basis, but which, eventually, he hoped to dispose of to advantage.

The CHAIRMAN. I would like you to come to something which you say indicates that I am against the struggling people of Mexico, or anything not to their advantage.

Mr. TEITLEBAUM. In a newspaper article——

The CHAIRMAN. Have you concluded your reading from this other paper?

Mr. TEITLEBAUM. From that one; yes, sir. Here is another one, which, if you insist, I will have to take your time on it.

The CHAIRMAN. Just select the portions of it that you want to read.

Mr. TEITLEBAUM. Quoting from a clipping under date of August 19, at Washington, which I expect would be about 1911:

Conditions in Mexico were discussed in the Senate to-day by Senator Fall, of New Mexico, who arose to a question of personal privilege to declare "absurd and ridiculous" a statement purporting to come from President Madero to the effect that Mr. Fall had caused the failure of peace negotiations between the Mexican Government and Gen. Oroasco. Senator Fall denied he had ever had any connection with Oroasco regarding the peace negotiations. Conditions in Mexico could not last much longer, he said.

Further down it says:

Senator Fall declared that as President Madero had recognized the belligerence of the insurgents by informing the world that peace negotiations had failed, he thought the United States should recognize the insurgents.

I will not comment on that.

The CHAIRMAN. Was not that what you were trying to do?

Mr. TEITLEBAUM. Not against Madero.

The CHAIRMAN. Not against your particular insurgent.

Mr. TEITLEBAUM. Not against my particular insurgent.

The CHAIRMAN. Now, Mr. Teitlebaum, of course you do not know anything about the facts?

Mr. TEITLEBAUM. No, sir. I don't want to read these things to any man's hurt. I only try to justify myself to myself, as long as you do not accept it with the spirit in which it is given, and with which I have come here to facilitate doing what I believe it is your honest desire of trying to do—some constructive work for the people of the United States.

The CHAIRMAN. Let us get back to the facts. At the time this interview or statement was made, which appears in the Congressional Record, and from which you should have obtained it, if you wanted to quote from an official record instead of a statement in some newspaper report, at that time the facts were that the State of Chihuahua had seceded from the Mexican Government, had its own State government, its own legislature, which had been elected at the same time Madero was elected.

For their own reasons they had elected Oroasco as military governor of the State. He was in charge of the railroads and all the industries of the State. He was being dealt with every day by the United States Government through the port of Columbus and Juarez and other points. The conditions were at that time that Mr. Oroasco had raised the flag of insurrection. He had been joined by Mr. Madero. Madero sent his representative Ganzalez into Chihuahua, where Oroasco was in arms against the State authorities. The State authorities had been powerful enough to secure federal troops from Gen.

Diaz. Those troops came in armed conflict with Orosco's forces and were repulsed. Madero represented to Orosco that he then became an outlaw against the federal government; that if he would declare for Madero that he, Madero, would furnish him with arms and ammunition. He did furnish Orosco with arms and ammunition, and Orosco captured Juarez and overthrew it and placed Madero in power in Mexico almost single handed.

Later, for reasons of their own, the State of Chihuahua seceded. Orozco, in the position of military commander, was being dealt with by this Government every day and was allowed all the arms and ammunition from this country that he wanted. You and others were holding meetings in San Antonio and all along the border, without interference from the Department of Justice or otherwise, in favor of Madero. When Orozco raised the banner of the revolution against Madero and fought the first battle, where he repulsed the Madero forces, he found himself getting short of arms and ammunition that were coming from the border. He then for the first time discovered his inability to get the things which, under Madero, they had gotten all they wanted. He took the position that it was best to go on fighting it out, unless the United States Government was prepared to assume the responsibility which necessarily would go along with the question of authority, and that if it declined to do so and stopped the murder and destruction going on in Mexico, then we should keep our hands off and let the Mexicans fight it out.

Now, with reference to intervention of any kind in Mexico, I call your attention to a matter already in the record, the only resolution upon that subject which has ever been offered in the Congress of the United States, and which is already printed in the hearings of this committee and therefore will not be included at this time. However, I will read it for your benefit.

(After reading the document referred to.)

That was immediately after the raid in my own State, when American women were shot down at night in the doors of their houses; when the jewels were torn from their bodies; when their husbands were murdered by their side; when the American soldiers were surprised in their sleep, and were attacked by the raiders and ruthlessly murdered. The Pershing expedition was sent into Mexico by the President of the United States. The papers were full of statements, of course, that it meant war with Mexico. Some of the people of the United States thought it was the duty of this country to take over Mexico. Some were in favor of the annexation of a part of Mexico. That revolution had been going on then for six years. The people of the United States were tired of it. The extremists wanted to force the United States a government of its own power in Mexico.

I introduced this resolution:

Whereas for three years a condition of anarchy has prevailed on and near our borders, and particularly within the Republic of Mexico; and

Whereas this Government has exercised the utmost patience and its best efforts through persuasion and representations to assist in restoring order in that unhappy country, and has seen its citizens traveling and doing business in Mexico murdered and outraged and their property destroyed, in violation of their legal rights under the comity of nations and customary and positive international law; and

Whereas this Government has had its flag dishonored and insulted in Mexico, and no reparation made or redress offered; and

Whereas the clear rights of American citizens have been abridged and denied in Mexico, and this Government can not consent to any further abridgment of the rights of American citizens in any respect; and

Whereas this Government is contending for nothing less high and sacred than the rights of humanity, which every Government honors itself in respecting, and which no Government is justified in resigning on behalf of those under its care and authority: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he hereby is, authorized and directed to use the land and naval forces of the United States, and call into service 500,000 volunteers:

First. For the purpose of protecting the lives and property of Americans in Mexico, and as a necessary preliminary to such purpose the opening and maintenance of all rail and other lines of communication between the City of Mexico and the seaports of Mexico, as well as with the American border.

Second. For assisting in the prompt establishment of a constitutional government in Mexico and lending same sufficient support to enable the Mexicans themselves to organize and maintain adequate military force with which to disarm all bandits and murderers and restore order and peace.

SEC. 2. That we declare our purpose to be as above set forth, and not to be the acquisition or annexation of territory, the overthrow of laws, customs, or constitution, the making of war upon the Mexican people, or interference with Mexicans in the government of their country; and we declare our further purpose to be the withdrawal of all our armed forces from Mexican territory immediately upon our accomplishment of the objects herein set forth, and to these ends we invite the cooperation of the Mexican people.

Did you ever read that?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What impression did that make upon you?

Mr. TEITLEBAUM. Very good; the first man that I have seen that had the proper notion of the probable number of people it would take.

The CHAIRMAN. I am not discussing that. What impression did it make upon your mind as to the intent and purpose of the chairman of this committee?

Mr. TEITLEBAUM. Well, I don't know that I can give you a good explanation of that, because I was not in sympathy with our going down there.

The CHAIRMAN. But we were there. That was an accomplished fact at the time that resolution was drawn. We were there with arms.

Mr. TEITLEBAUM. I noted that you said that.

The CHAIRMAN. The Pershing expedition was in Mexico, 14,000 strong.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. The Mexican and American papers were full of statements that it meant war with Mexico. Many people insisted that we should have war with Mexico and, as I have stated to you, many insisted that it should result in annexation of all or a part of Mexico.

Mr. TEITLEBAUM. That was the proposition, to go down there with 500,000 men. Well, I don't believe that the Mexicans would permit—

The CHAIRMAN. I am not asking you what the Mexicans would permit or what would be the result. We saw the results, sir; that the Mexicans followed Pershing out of Mexico, begging him to stay there, several thousand of them.

Mr. TEITLEBAUM. Well, I think that the United States practically withdrew through the influence exerted by Latin America.

The CHAIRMAN. How long did they remain there?

Mr. TEITLEBAUM. I think three or four weeks; I don't recall just how long it was. I know they were down there and they came away again.

The CHAIRMAN. Very well. Is there anything else you have there which has induced you to believe the chairman of the committee has been engaged in attempting to oppress the Mexican people?

Mr. TEITLEBAUM. Not here, Senator.

The CHAIRMAN. Then, all this statement that you have made, rather indignantly, is founded simply upon such material as you have referred to here?

Mr. TEITLEBAUM. Yes, sir. It is simply a straw showing which way the wind blows.

The CHAIRMAN. The chairman made the statement with reference to propaganda which had been going on in Mexico. Do you know Gen. Plutarco Elias Calles?

Mr. TEITLEBAUM. I know of him.

The CHAIRMAN. You know who he is, do you not? You know him as an insurgent against the Carranza government, do you not?

Mr. TEITLEBAUM. The names were of no importance to me and I went to the top. I don't know. I don't know Calles. It may be if I would see him I would know him, but I don't know him if my life depended on it.

The CHAIRMAN. Well, on the 4th day of February of this year he was a member of the cabinet of President Carranza.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You knew that, did you not?

Mr. TEITLEBAUM. No, sir; I did not.

The CHAIRMAN. Did you know any of the Mexican consuls along the border? Did you know M. Garcia, consul at Laredo, Tex.?

Mr. TEITLEBAUM. I think he was at El Paso, wasn't he?

The CHAIRMAN. You are confusing him, I presume, with Andreas Garcia, director of consuls along the border, and acting consul at El Paso. You do not know M. Garcia, consul at Laredo?

Mr. TEITLEBAUM. I may have. I know the other Garcia.

The CHAIRMAN. You knew Luis Cabrera?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you know Guillermo Hall, of San Antonio? In common everyday English it is William Hall.

Mr. TEITLEBAUM. I don't recall, Senator.

The CHAIRMAN. Have you known of various excursions, commercial excursions and others, going into Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you know anything about an excursion that went into Mexico from Boston, Chicago, St. Louis, and other points, concentrating at San Antonio, and going into Mexico on or about the 4th of February of this year?

Mr. TEITLEBAUM. I know there have been several excursions down there.

The CHAIRMAN. You have not read anything from Guillermo Hall with reference to the Mexican question, along the line that we have been discussing, matters of friendship between the two countries, support of the Carranza government, the struggle for constitutional law and peace, etc.?

Mr. TEITLEBAUM. I do not recall that I have, Senator.

The CHAIRMAN. The committee has in its possession some very enlightening telegrams showing how some of the propaganda was carried on in this country, which, in view of the fact that you have related some of your activities, and the chairman has referred to the activities of others, will be placed in the record. The committee has photostatic copies of various telegrams, in connection particularly with this recent excursion, telegrams passing between Guillermo Hall and Plutarco Elias Calles, member of the cabinet, and Luis Cabrera, member of the cabinet, and the consuls at Laredo and San Antonio. Of course the originals of these documents are in Spanish. The committee has translations of them.

I have here a telegram dated February 8, 1920:

NUEVO LAREDO, TAMPS., February 8, 1920.

Mr. General PLUTARCO ELIAS CALLES,
Secretary Industry and Commerce:

I have the pleasure to advise you of arrival here with excursion business men from San Antonio, Tex., there being 42 in party, coming under direction of Mr. E. A. Wiegand, who will also have arrangement of itinerary of train. As I advised you from San Antonio, I arranged to have trip to Tampico cut out of itinerary, account of work of propaganda of Fall's agents, which demoralized certain of the excursionists, causing them to cancel their trip; but believe, considering conditions in which lines from Tampico is now, well not to insist, in this way obviating expense and trouble for the Government. Hope that you will kindly issue orders necessary that everything be made smooth for us, in view of fact that some members of excursion come much prejudiced on account of propaganda of which I spoke. We leave to-day for Monterey; shall probably remain until to-morrow. With affectionate regards and salutations.

GUILLERMO HALL.

I have a second telegram, with the same heading, the same date, from Mr. Guillermo Hall to Mr. Luis Cabrera:

Advise have arrived here with excursion San Antonio business men, which is not turning out as fortunately as promised, owing to circumstances which I explained to you in my letter of 6th instant. Received in San Antonio the \$5,000 which you placed my credit through Laredo consulate, which regret should have happened, as not desirable De la Mata be taken into confidence. Urge remedy matter if possible. Hope to see you soon there. Affectionate regards.

GUILLERMO HALL.

You may note that Dr. De la Mata, consul of the Mexican Government at San Antonio, is referred to in that telegram.

Mr. TEITLEBAUM. Rodriguez was the consul at that time, I thought.

The CHAIRMAN. I have a telegram under date of February 4, signed "Cabrera," dated at the National Palace, City of Mexico, and addressed to Garcia, Mexican consul at Laredo. I am reading into the record the English translation:

With the approval of the President of the Republic please deliver to Mr. Guillermo Hall, agent of the department of industry and commerce in San Antonio, Tex., the sum of \$5,000 for the expenses on the trip of the excursionists of the American Chamber of Commerce, recommending that you give him on his way through that place all facilities, in order that the travelers may have a good impression of our Government. Affectionate greetings.

CABRERA.

A telegram of the same date, signed by Gen. P. Elias Calles, dated at the Commercial Palace, the 4th of February, 1920, addressed to "Consul of Mexico, Mr. Garcia," at Laredo, reading as follows:

Please inform Mr. Alatríste that the commercial excursion must come directly through the towns which are on the National Line, since certain conditions on the Tampico road make it undesirable that those places be visited until necessary measures shall have been taken. Greetings.

GEN. P. ELIAS CALLES.

Just an interjection in the nature of a suggestion that there may be something significant in the last lines of that telegram than possibly could be understood by the witness now on the stand.

The next is a telegram from M. Garcia to Luis Cabrera, at the City of Mexico, reading as follows:

Your honorable telegram No. 2149. I acknowledge the order for the money for Mr. Hall. The consul in San Antonio informs me that the number of excursionists has much decreased, due to the unfavorable propaganda circulated by agents of Capt. Hanson. A special train ready to leave as soon as the excursionists reach here. Very affectionate greetings.

M. GARCIA.

Telegram to Gen. Plutarco Elias Calles, from M. Garcia, dated February 4, 1920:

Your honorable telegram No. 1379 Mr. Alatríste has not yet arrived. I am communicating your instructions. Affectionate greetings.

M. GARCIA.

Now, the instructions were to undertake these excursions by way of Tampico, of course, for very good and sufficient reasons.

I have a telegram from Guillermo Hall, upon his return, addressed to Luis Cabrera, Treasury Department, City of Mexico:

I report to you that I have just arrived in this (city) with the excursion of merchants from San Antonio, Tex.—

That is another telegram from Nuevo Laredo to Mr. Cabrera, not from San Antonio.

I report to you that I have just arrived in this (city) with the excursion of merchants from San Antonio, Tex., which was not as large as had been expected due to the circumstances I explained to you in my letter of the 6th instant. I received in San Antonio the \$5,000 you remitted to me through the Consulate at Laredo, which I regret since it is not well that de la Mata be advised of confidential matters. A remedy of the matter is urgent, if possible. I expect to see you in that (city) soon. Very affectionate greetings.

GUILLERMO HALL.

I simply call attention to these matters to show some of the efforts of the Mexican Government to create a favorable impression upon Americans.

Also, in connection with that and on the subject of propaganda, I have a photostatic copy of a letter from the foreign office at the City of Mexico to Gen. Barragan. Do you know Gen. Barragan?

Mr. TEITLEBAUM. Yes, sir. He was chief of staff for Mr. Carranza.

The CHAIRMAN. Yes.

Mr. TEITLEBAUM. I know him very well; and I know Mr. Parma also.

The CHAIRMAN. This latest propaganda, of which we have this photostatic copy, although it is marked "Confidential," states:

[Confidential.]

Citizen Gen. JUAN BARRAGAN,

Chief of Staff to the President.

By direction of the citizen President of the Republic please have an order issued to deliver to Citizen Col. Francisco Montiel the sum of \$10,000 for pro-Mexican propaganda expenses in the Argentine Republic, where he is going as

attaché to our legation to develop the work of the Latin-American Association for the Defense of the Interests of Mexico. Col. Montiel will explain to you verbally the plans approved by the superior authorities to be developed in South America.

A. M. FERNANDEZ,

Chief Clerk in Charge of the Department.

I overlooked a letter from the Mexican consul to the undersecretary of foreign affairs, marked "Official No. 296, confidential," as follows:

I have the honor to advise you that on the 6th instant there was delivered to the Hon. Guillermo Hall, confidential agent of our Government in San Antonio, Tex., the sum of \$5,000 for expenses of his journey on Mexican soil, in accordance with telegraphic order No. 2149, dated the 4th instant, from his excellency the secretary of the treasury, Hon. Luis Cabrera. Because of the confidential nature of Mr. Hall's employment this consulate was unable to secure corresponding receipt for above-mentioned amount, obtaining only the telegraphic orders, which I inclose.

Of course, we have Mr. Hall's telegram to Luis Cabrera not to send any more money through De la Mata. Mr. Hall has, in the opinion of the committee, a perfect right to pursue any course he chooses in reference to Mexican affairs, but Mr. Hall is posing in San Antonio as a mere friend, not a confidential representative, and certainly not a propagandist in the employ of Mexico.

Mr. TEITLEBAUM. Well, that issue I do not fear, and I would not evade it. Nobody has anything on me in that connection. I have never taken a dollar, so far as I know, from any source. I have taken, I think, 65 pesos from Gen. Angeles and about \$50 from Diegas while I was on that trip and could not get to my source of supply. When I got to Vera Cruz I got 240 pesos from Mr. Carranza or his nephew, and when I got to San Antonio, when I got home, I had given a \$100 to Mrs. Carranza, with a list of different moneys that I had borrowed in the meanwhile, which is about three times as much as the exchange at that time was worth. Personally, my hands have been as clean as my heart in connection with all this and, unless there is a frame up, there is nothing that can be produced on me, in regard to having accepted any compensation in regard to anything I did in Mexico.

The CHAIRMAN. The chairman of this committee has not insinuated that you have. The chairman of this committee has offered this evidence, however, of payments being made to men who claimed that their purposes were just as pure as you claim yours to be.

Mr. TEITLEBAUM. Yes, sir. I don't know that there is really anything very bad about most of that, if the party does not sell himself. For somebody to accompany these people, who were bent on a very laudable mission, which I heartily believe in and approve of, it does not spell all that it might to others.

The CHAIRMAN. As the chairman does not happen to have that trait of mind which is looking for hidden motive and placing construction upon the acts and conduct of others, he had no comment whatever to make.

Mr. TEITLEBAUM. I don't blame the chairman, because as long as we don't know ourselves, it is certainly mighty hard to know the other fellow.

The CHAIRMAN. As long as we have in our possession information showing a large number of paid propagandists, who are posing as

being perfectly pure in all their motives and as not receiving any compensation at all, when we do find that some of them are hypocrites, we consider it our duty to show it. When these people are claiming before the American people to have information that this committee is engaged in nefarious schemes, when we have evidence of that kind, I think it is our duty to the public to give it out. For that reason I have put that evidence in.

Now, there is another matter to which you referred and to which I wish to call attention now. On August 10, *El Universale*, a paper published in the city of Mexico, telegraphed to different members of this committee, propounding to them certain questions to be answered, which was conceded to on the 11th. That has been heretofore placed in the record. Immediately thereafter, or, at least, within a few days after August 11, I think on August 17, there was published in *El Universale*, in the city of Mexico, over the signature of the author, an article signed by a prominent Mexican citizen, Alfredo Robles Domingue. I do not know whether you have had this called to your attention, or whether we have had this translation of the article, the original Spanish of which is in our possession, printed in the record to be used in connection with the *El Universale* telegram.

Referring to the article in which Mr. Dominguez quotes a portion of the answer of the chairman of this committee, sent by the chairman after consultation with the other members, Mr. Dominguez summarizes the meaning of that portion of the telegram. He quotes from the telegram:

Each one of the members of this committee had hoped that the people of Mexico would of themselves be able to create and sustain a government that can comply with its obligations (international and national) without the intervention of this Nation or any other, and the committee still hopes that the Mexican people are capable of working out their destiny and obtaining and preserving for Mexico the respect of all nations, respect which the Republic of Mexico has deserved and held for so many years.

Mr. Dominguez construes the meaning of that as follows:

Summarizing the foregoing statement, it must be understood—

We do not now take into consideration the present government of Mexico. The people of Mexico must create and sustain a serious and honorable government to prevent our acting, tired of waiting, and going with our Army and all our power to force order upon them and to pay ourselves for the damages that have been caused us.

Then follows his comment:

That is to say, the honor, nationality, and sovereignty of Mexico are in peril, and, in the face of such a situation no Mexican in whom there remains an atom of shame, should cross his arms or remain silent, a prey to fear, in the presence of the consequences he may bring upon himself by assuming a viril attitude.

No illusions must be entertained. The North American Senate is determined to proceed, and the government of Mr. Carranza and the Mexican people are obligated to conjure the peril and to minimize the evil that menaces the fatherland.

It is chimerical to pretend to resist with brute force a force infinitely superior. We lack money, ammunition, arms, and even, unfortunately, we lack in these moments the moral qualities that exalt virile and patriotic peoples. Even through the vexations and extortions of the present administration these have been lost. We conscious men, in the presence of the gravity of the peril, turn the head in search of a voice of authority to rise and propose the means of salvation. Not finding it, I, with the right that abides in me as a citizen

and with the duty that patriotic feeling imposes on me, address the government of Mr. Carranza and the people of Mexico to propose to them the only practical and rapid means that may conjure the grave crisis that menaces our autonomous life.

These means are the following:

First. The immediate retirement of Mr. Carranza and his government, and the formation of a provisional government, composed of honorable and competent men, to enter at once into negotiations with our creditors.

The word "creditors" does not mean simply financial creditors in Mexico.

Mr. TEITLEBAUM. What is the name of that gentleman?

The CHAIRMAN. You will hear it in a few days.

Mr. TEITLEBAUM. I thought you asked if I knew him.

The CHAIRMAN (reading):

Second. Union of all dissident groups to sustain that government, for the purpose of enabling it to solve present problems and to lead the country in a short time to constitutional order, within a responsible administration.

I must not be taken for a seditious person or a rebel. If I considered that that was the best road to free us from the evils that rend us and to reconstruct the nation, long ago I would have adjusted my conduct in that sense.

Neither the people of Mexico nor the government of Mr. Carranza should forget that the honor, the sovereignty, and the nationality of the Republic are in serious danger of being lost, perhaps forever; and it is necessary, therefore, that they adjust their conduct to a sincere and rational patriotism.

ALFREDO ROBLES DOMINGUEZ.

MEXICO, August 14, 1919.

That was written, not by a military leader, but a civilian, whose declaration of principles is practically similar to that of Gen. Felipe Angeles, who has recently suffered for his views.

I presumed that you knew, at least through your apparent usual source of information, the public press, that there is now in Mexico a very serious revolution against the Carranza government.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Following this telegram and the comment by Mr. Dominguez, a very serious criticism was published in the Mexican papers concerning the efforts of this committee. From one of my correspondents in Mexico City I immediately received a telegram, as follows:

MEXICO CITY, December 8, 1919.

Senator A. B. FALL.

Senate Office Building, Washington, D. C.:

Newspapers here calling you enemy of Mexico in bitter terms and publishing your picture this connection. Please permit me refute this publicly by quoting your words to me that although everybody thinks you interventionist you are positively opposed excepting as last resort, and that it is your desire only that some friendly solution be developed before some incident occurs to force military intervention with attendant expense and unpleasantness. I believe it vitally important to correct false impression Mexican public quick.

H. T. OLIVER.

To which I at once replied:

WASHINGTON, D. C., December 9, 1919.

H. T. OLIVER,

Mexico City, Mexico (via Galveston):

Your telegram received. You are fully authorized to repeat and, if necessary, publish in Mexico my statement to you that although I have been called an interventionist I am positively opposed to armed intervention in Mexico except as an absolutely last resort, and that my desire is for some friendly solution of pending questions between the Mexican people and the Government and the people of the United States. If you publish this statement I insist

that you publish also the following: Evidence truth of above statement should be found in the fact that the committee has to-day given publicity to Carranza's letters of instruction to Berlanga of June 14 and August 19, 1919, showing his active interference in affairs here. Also of distribution here by Bonillas, ambassador, and Mexican consul's revolutionary literature. Also of Carranza's letter directing Miss Galindo to abuse the United States and particularly President Wilson. Letters between the Mexican officials showing negotiations with Japan.

Mr. TEITLEBAUM. I have some information on that also.

The CHAIRMAN (reading):

Also Blue Book, letters and expressions abusing President Wilson. This action taken to impress upon the world that in event the Mexican people themselves do not bring pressure to bear upon their present Government to cease persecution of Americans and British and others, and unwarranted interference in affairs in other countries and enormous paid propaganda in this country abusing Americans in Mexico, interfering with their peace and safety and with our Government here, that some country will, in my judgment, be compelled to intervene, possibly by force of arms, and restore order out of the chaos in the Republic of Mexico. I am exerting every effort to bring about such a solution that neither armed intervention nor war may ever be necessary. Remember that in the President's letter to me he does not indicate that he will break off relations and withdraw recognition, but that he is gravely considering the committee memorandum.

I wired that, repeating it verbatim to El Excelsior in the City of Mexico, that if Mr. Oliver did not give publicity to it, it would gain publicity through the great Mexican daily.

Now, sir, that has been the committee's position up to date. The answer to the committee's position is the present movement in Mexico. If you have any solution of the difficulty in Mexico I would be glad to have it.

Mr. TEITLEBAUM. I am very much pleased and very grateful for your having given me this line that you have, and I may not agree with you as to all of it, but I try to cull the good from the bad.

I would like to supplement that recommendation for another commission, an American commission, composed of loyal Americans of the Catholic faith, to go down to Mexico and study the situation down there. It is my honest conviction that a stream can not rise above its source, and that we expect too much of the common Mexican, and he is the one I am speaking about. The leaders can take care very nicely of themselves, but the common people of Mexico, on whom the peace of the United States as well as Mexico depends, must take the stand of civilization that I fear the church has not done by them toward that end all that reasonably could have been done, and I believe that these reforms could be so much easier accomplished through the church than outside of it. I would recommend that a commission of American Catholics be sent down to study the situation, to give reasonable time, say three years to five years more or less, to hold them responsible for the progress that Mexico makes within that time.

I say that in the best of faith in the world. I believe that I have no more feeling against the Catholic church than I have against the Jews, of which I am one: that there are Catholics who are loyal in our times and there are Jews who are disloyal; that is for us to face, for myself, being a Jew. I think they should be held responsible in a great measure, in this war, that they have not acted themselves the way they should have. I believe that the war has shown they were

not all yet fit for self-government, and I am saying that to you, and I know I am not talking any propaganda or anything of that kind in making the statement. It is my deduction from what I have seen.

The CHAIRMAN. Is it your understanding that such a commission could go into Mexico now?

Mr. TEITLEBAUM. I think so.

The CHAIRMAN. Have you ever read the Mexican constitution of 1917?

Mr. TEITLEBAUM. I have only glanced at it.

The CHAIRMAN. I thought so. You are not familiar with the provisions of article 27 of the Mexican constitution?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. I supposed that when you made such a recommendation you did not know anything about the constitution. You do not know anything about the order issued to all governors of the States to enforce the provisions of the constitution against the teaching of religion, either in the schools or any kind of religion, in Mexico? You are not familiar with that!

Mr. TEITLEBAUM. No, sir; I did not know that was the case. Still, my recommendation is offered with a view of trying to correct that situation.

The CHAIRMAN. Now, you spoke of a commission to study damages. What do you propose that commission shall do after it arrives at a solution and reaches a unanimous agreement, in the event it does?

Mr. TEITLEBAUM. I think public sentiment in both countries is all that is necessary to have them thoroughly understood.

The CHAIRMAN. Public sentiment where?

Mr. TEITLEBAUM. The people on both sides.

The CHAIRMAN. Understand what?

Mr. TEITLEBAUM. Understand the case—each individual case as it comes up—if the proper spirit is shown by both sides to get to the bottom of some of these difficulties.

The CHAIRMAN. We will agree that we have done that, that the commission has unanimously agreed and has gotten to the bottom of it to your satisfaction; then what?

Mr. TEITLEBAUM. Then we should know that the other side is wrong, which was my reason for contending that those people had been more sinned against than sinning.

The CHAIRMAN. Well, suppose that is shown; then what?

Mr. TEITLEBAUM. I have got such confiding faith in the manhood of the United States that when they understand that, they knowing the standard of civilization, that they would exercise their charity and patience, which I know would be a very wise thing to do.

The CHAIRMAN. Then what?

Mr. TEITLEBAUM. Then send the men who are responsible for these troubles, we would invite them——

The CHAIRMAN. Suppose we have done away with all these troubles. Suppose we have eliminated them, brought every American out of Mexico, turned over every dollar of American property in Mexico to the Mexicans, and have gotten out of Mexico, then what?

Mr. TEITLEBAUM. I do not suggest getting out of Mexico. It is a world necessity that we should have the right to go into Mexico and to trade with them and traffic with them, just the same as other nations.

The CHAIRMAN. Suppose the report of this commission is that that is the best way to avoid trouble, and we actually do it, then what?

Mr. TEITLEBAUM. I am not in favor of getting out of Mexico.

The CHAIRMAN. Suppose we do that, what will happen in Mexico?

Mr. TEITLEBAUM. I think I know those people on the other hand are fair enough, when we know them, and meet with them, they will understand our intention and what we propose to do, when they see that we have some sympathy with them. I am sure they would. It is not my idea of getting out. My idea is to go in, and to have manufactories, branch manufactories, and to help to develop Mexico, and bring up the standard of wages and the standard of living.

The CHAIRMAN. Do you know anything about the established standard of wages and standard of living in Mexico?

Mr. TEITLEBAUM. No, sir; but I know it has increased very materially.

The CHAIRMAN. Under whose efforts?

Mr. TEITLEBAUM. Time, if nothing else. The fact that Mexicans have come here, and we have gone down there, and the motion picture business. By the way, there is one of the greatest troubles that we have had with Mexico, is through this motion picture business, the line of conditions that we show, not only the Mexicans, but our Americans, through permitting these pictures to go down there.

The CHAIRMAN. Let us get back to something. You were talking about factories. Did you ever know a Mexican to establish a factory?

Mr. TEITLEBAUM. No, sir; but I know there is a spirit essential to bring husbandry to the country. I am very hopeful that we will see the time that Americans will be welcome.

The CHAIRMAN. We all hope that, Mr. Teitlebaum.

Mr. TEITLEBAUM. We have got to lend ourselves to help to bring this about.

The CHAIRMAN. What do you think we have been doing for 10 years?

Mr. TEITLEBAUM. We have not improved our opportunities as we should have, from the knowledge that I have of it.

The CHAIRMAN. We have let the Mexicans alone, so far as intervention is concerned.

Mr. TEITLEBAUM. Yes, sir; but we have held a club over them all the while.

The CHAIRMAN. What do you mean when you were talking about the Mexican people and those who governed them, the distinction you were attempting to make between them?

Mr. TEITLEBAUM. The Mexican people and a lot of the men who govern them. I think some of them are honest, and a lot of them are very much the other way.

The CHAIRMAN. You tried to get them together, and you did not succeed, did you?

Mr. TEITLEBAUM. If one man could himself succeed as well as I have—

The CHAIRMAN. What has been your success? What have you done?

Mr. TEITLEBAUM. I had the people listen to me. They have been in sympathy with me. They knew I was doing it without any com-

pensation. They knew that I have done everything to try to serve and lend service and confidence.

The CHAIRMAN. They gave you permission to serve the Mexican people against themselves?

Mr. TEITLEBAUM. I didn't need their permission. I am simply trying to make amends for the things that I say. I am not gifted with the speech or mind of being able to express myself fluently.

The CHAIRMAN. Then you tried to serve them yourself, and with what success did your efforts meet?

Mr. TEITLEBAUM. I am satisfied if it has been good. I am very, very proud of it. I think it is the greatest individual movement for peace on record, just what I have succeeded to do. I know that Gen. Angeles—

The CHAIRMAN. Yes; you saw his picture lying there with a bullet through his body?

Mr. TEITLEBAUM. Yes, sir. He has been sacrificing to the cause, and I told him when he was talking about taking his boy away from college down there that he had no business to do that, and he said he was willing to sacrifice anything for the good of his country.

The CHAIRMAN. Why did you tell him that?

Mr. TEITLEBAUM. I thought the boy, being 15 years old at the time, had no right of being at the front, and I did know that Gen. Angeles was at the front, and did go to the front, wherever there was a front.

The CHAIRMAN. You approved of his going, did you?

Mr. TEITLEBAUM. I did.

The CHAIRMAN. In the revolution against the Carranza Government?

Mr. TEITLEBAUM. Yes, sir. I don't know about the Carranza Government. I mean against Huerta.

The CHAIRMAN. Oh, well, you know that was against the Carranza Government, and that he was executed by the Carranza Government.

Mr. TEITLEBAUM. Very true.

The CHAIRMAN. Just wait a moment.

Mr. TEITLEBAUM. He died for the cause.

The CHAIRMAN. Thank you very much. We will close this hearing.

Mr. TEITLEBAUM. I thank you, sir.

(Whereupon, at 5.30 o'clock p. m., the committee adjourned subject to the call of the chairman.)

INVESTIGATION OF MEXICAN AFFAIRS.

SATURDAY, MAY 8, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to the call of the chairman, at 11 o'clock a. m. in room 128, Senate Office Building, Senator Albert B. Fall (chairman) presiding.

TESTIMONY OF MR. WILLIAM GATES—Resumed.

(See p. 305, printed record.)

(The witness was duly sworn by the chairman.)

The CHAIRMAN. Mr. Gates, it was really unnecessary to administer the oath to you, as you have been before the committee here before. I desire to have you very briefly identify correspondence referred to in your former hearing, first.

Mr. GATES. Yes, sir.

The CHAIRMAN. Before you left the stand in your former hearing you had referred to a further letter to Secretary of War Baker.

Mr. GATES. A letter from him to myself and one to him.

The CHAIRMAN. Have you those letters with you?

Mr. GATES. The original of that letter I gave to Judge Kearful, and I do not find he has returned it to me, but I have a copy of it here. I could not identify it at that time, because Judge Kearful was not here and it was among his papers. It was a letter from Baker to me of August 10.

The CHAIRMAN. Examine this paper.

Mr. GATES. That is it.

The CHAIRMAN. The document which has just been handed to you you say is the letter to which you referred?

Mr. GATES. That is the letter to which I refer.

The CHAIRMAN. Very well. Let that be a part of the testimony at this point.

(The letter referred to is as follows:)

WAR DEPARTMENT,
Washington, August 10, 1919.

MY DEAR MR. GATES: I have your letter of August 6.

I have not seen David Lawrence and have not communicated with him. I have not talked with anybody else about you or any of the information you have given me about Mexico beyond transmitting to the State Department for its information the letters you sent me descriptive of Mexico, as you saw it, and of its people, as you moved among them.

There is no mystery in either our correspondence or our conversations. You have traveled in Mexico; you came to me to tell me what you saw and what you thought about what you saw; I listened to you with interest because I knew of your opportunities for observation, and you wrote me further information. All of this was perfectly proper for you to tell me and for me to hear. I suggested your seeing the State Department and the War Department's Bureau of Military Intelligence in order that they might match up the facts you brought to their attention with what they learned from other sources of information. This you did.

I have not the slightest objection to your producing your letters to me whenever you desire to produce them. I do not think they ought to be produced in the newspapers for the purpose of either getting you into a controversy with David Lawrence or appearing to raise a controversy between David Lawrence and me, since I have had no contact with him on the subject.

Cordially, yours,

NEWTON D. BAKER.

MR. WILLIAM GATES.
2016 Mount Royal, Baltimore, Md.

MR. GATES. I think it would be well, by your permission, to complete that correspondence. On November 30, in the Jenkins matter, I wrote another letter to Mr. Baker, which I think ought to go in my testimony to complete the Baker series.

THE CHAIRMAN. Let me see that, please. [After reading letter.] Let us see if we can not get at this by question and answer, instead of putting this entire document in the record.

You wrote Secretary Baker on November 30 in reference to the Jenkins matter?

MR. GATES. Yes, sir.

THE CHAIRMAN. And the probability of an expedition into Mexico in connection with it?

MR. GATES. Yes, sir.

THE CHAIRMAN. You inclosed certain documents in that letter of November 30?

MR. GATES. Yes, sir.

THE CHAIRMAN. Those documents were what?

MR. GATES. These were the papers which I referred to in my correspondence with Secretary Baker as the basis for the rehabilitation of Mexico, which had been consented to by the various friends of the United States among the revolutionists in Mexico, and finally there was an appeal to the President and the people of the United States signed by the different revolutionists and filed on September 10 at the White House. Those three documents were inclosed in the letter to Mr. Baker, which documents I have copies of here.

THE CHAIRMAN. We will be glad to have you file them with your evidence, not to be incorporated with the evidence at this point, but to be printed with it, as an appendix to your testimony.

(The documents referred to were marked, respectively, "Exhibit 4," "Exhibit 5," and "Exhibit 6," and are printed in full at the close of the testimony of this witness.)

In this letter you state that there are in Mexico five main organized bodies in the field against the Carranza government: Those of Morelos, formerly under Zapata, now under Magana; those of the State government of Oaxaca, under Meixueiro; the forces under Diaz; Pelaez and Villa; and you state that you are in touch with all of them except Villa, directly?

MR. GATES. That is correct.

The CHAIRMAN. And the documents which you have just filed are referred to in that letter in that connection?

Mr. GATES. Yes, sir.

The CHAIRMAN. I think that will cover the letter proposition.

Mr. GATES. Yes, sir.

The CHAIRMAN. Now, before proceeding with your testimony, unless you have something on that particular point you desire to say, I desire to ask you a few questions.

Mr. GATES. I think of nothing now, Senator.

The CHAIRMAN. Mr. Gates, when did you first become interested in Mexican matters and the study of Mexico?

Mr. GATES. That was over 20 years ago.

The CHAIRMAN. What direction did your interest take, or in what direction did it lead you, what particular study?

Mr. GATES. The study of the language, and the hieroglyphics, and archeology, and early history of the Indian races.

The CHAIRMAN. What particular Indian race?

Mr. GATES. Especially those of the south, in Yucatan, Guatemala, and East Chiapas, known as the Maya people.

The CHAIRMAN. In connection with your efforts in Mexico, and your studies and research, have you ever received official recognition from any Mexican body or university or official institution engaged in such work?

Mr. GATES. While I was in Mexico City, in the course of a trip from June, 1917, to May, 1918, the National Museum of Mexico, which corresponds to our own Smithsonian, the leading head body, as a recognition of my position in these studies, conferred upon me the title of Honorary Professor of the Museum, a title which is held by no other American and only by three Europeans.

The CHAIRMAN. Have you documentary evidence of the statement you have just made?

Mr. GATES. It is this, that is just handed to me.

The CHAIRMAN. That is the document you refer to?

Mr. GATES. That is it.

The CHAIRMAN. It is in Spanish, of course?

Mr. GATES. Yes, sir. It was accompanied by an officio to me direct, giving the reasons for appointing me.

The CHAIRMAN. The document will be translated by the official translator of the committee, and the English translation placed in the record.

Mr. GATES. Very well.

(The document referred to is as follows:)

UNITED STATES OF MEXICO.

Department of the University and Fine Arts.

United States of Mexico, office of the director general of fine arts, section 1, No. 0345.

The department of the university and fine arts, by direction of the citizen constitutional President of the United States of Mexico, has been pleased to appoint you an honorary professor of the National Museum of Archeology, History, and Ethnology, in consideration of the merits and other aptitudes that concur in you.

I communicate it to you for your information and consequent purposes.

CONSTITUTION AND REFORMS.

Mexico, January 24, 1918.

The director of the National University, Jose N. Maclay, to Dr. William Gates, National Museum of Archaeology, History, and Ethnology, Mexico. No. 83.

In communication No. 24, of date the 7th instant, I stated to the director general of fine arts what follows:

"The regulations of this museum designate two classes of professors, honorary and regular, and it considers as honoraries the Mexicans or foreigners who most distinguish themselves in the matters which the establishment cultivates and which the superior authorities appoint on nomination by this office.

"Up to date only the distinguished Americanists the Duke of Loubat, Alfred P. Maudslay, and Edward Seler, French the first, English the second, and German the third, have been appointed honorary professors. For some time this institution has not granted this distinction to any other person, and, as there is now in Mexico the great man of science and eminent Americanist, Dr. William Gates, of North American nationality, who has not only made valuable studies in the archaeology, ethnology, and anthropology of Mexico, but is preparing to undertake a tour of study through some regions of our country, a tour from which this museum expects a great benefit, and is morally attached to Dr. Gates, whose labors on the ruins of Yucatan are the most complete and remarkable, I take the liberty to propose to that honorable office of the director general of fine arts to be pleased to direct, in consideration of all these reasons and if it sees fit, that said gentleman be appointed an honorary professor of the museum, by which Mexico will render homage to one of the most serious savants of America and at the same time this institute under my charge will be honored by counting Dr. Gates among its eminent professors.

"In the expectation that you will be pleased to act favorably on my petition, in which the regular professors of this museum are in accord, I reiterate to you my assurances of distinguished consideration."

Which I have the honor to transcribe to you for your information and satisfaction, presenting to you my warmest congratulations for that appointment which does so much honor to the institution under my charge and sending to you the original of said appointment issued in your favor.

I reiterate to you the assurances of my distinguished consideration.

Constitution and reforms, Mexico, January 23, 1918.

The director, Luis Castillo Ledo, to Dr. William Gates, present.

The CHAIRMAN. Now, Mr. Gates, in pursuing your study of archaeology and ancient civilization, particularly in southern Mexico, have you investigated, translated, and arranged certain documents that came to your information from original sources, as near as possible?

MR. GATES. I have. Do you mean in regard to language or politics? I will answer yes to both.

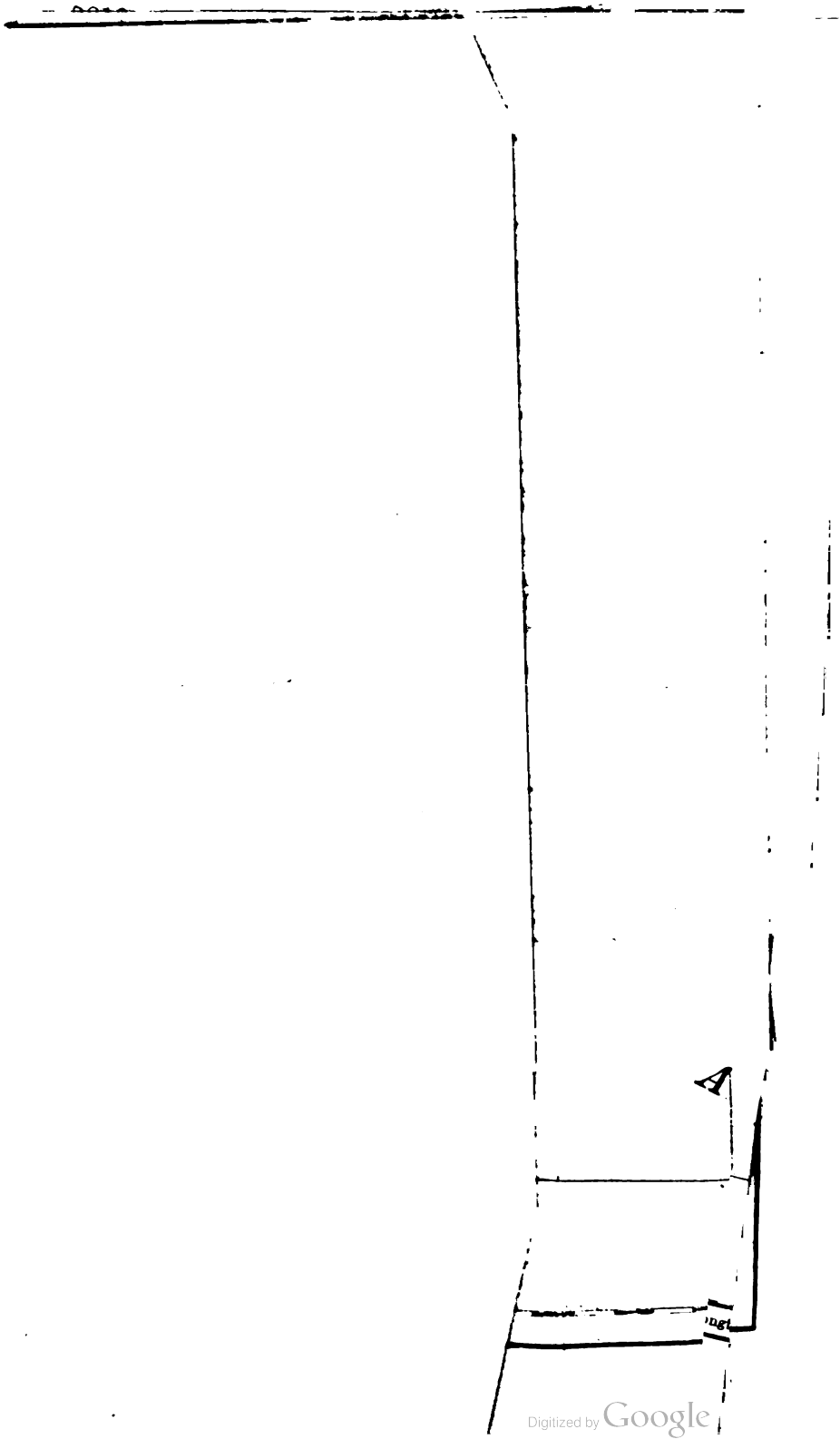
The CHAIRMAN. I am speaking now of the ancient civilization of the Indian tribes.

MR. GATES. I have.

The CHAIRMAN. To what extent have you collected original documents and evidence concerning the Indian tribes of Mexico?

MR. GATES. Starting with the Maya race, which extended slightly over the border of Guatemala into Honduras, covered all of the territory of Yucatan and part of Chiapas, and then going on through the Zapotecs and other races, practically constituting the territory of civilization in Mexico at the time of the conquest. I own myself about one-half of all the known existing manuscripts in the world, and I have photographed about 95 per cent of the manuscripts in other libraries of the world which I do not own.

The CHAIRMAN. Mr. Gates, more recently and at the present time are you engaged in any work of that kind?



Mr. GATES. For the past eight months I have devoted myself exclusively, and expect to continue to do so, in preparing dictionaries, grammars, hieroglyphic codes, and so on for publication.

The CHAIRMAN. With whom, if anyone, are you associated in such work?

Mr. GATES. Well, that practically would name the various people interested in archeology in this country.

The CHAIRMAN. With reference to the details of the work, are you associated with or connected with any institution in the United States?

Mr. GATES. Perhaps I should give you a list of the institutions. I recently joined in the formation of the Maya Society.

The CHAIRMAN. Who are the officers of that society?

Mr. GATES. The officers of that society are myself as president; Herbert J. Spendor, of the American Museum of Natural History in New York, as vice president; and S. K. Lathrop, secretary-treasurer. The executive council consists of those officers and Messrs. Marshall Seville, of New York, and E. P. Wilkins, of Philadelphia, as its members. I can quote in two words the objects of the body. "To promote a knowledge and better understanding of all matters pertaining to the Indian races of Mexico and Central America, past and present, more particularly the Maya people." The members are members of the Smithsonian Institute, the Bureau of Ethnology, University of Pennsylvania, American Institute of Archeology, Field Museum, and so on.

The CHAIRMAN. Are you familiar with and have you had anything to do with the preparing of tribal maps of Mexico, or any portion of the so-called Republic of Mexico?

Mr. GATES. In connection with a publication just issued, a very large work, I wrote a linguistic chapter on the subject and prepared a linguistic map of the Maya race in southern Mexico, using for that Bureau of Ethnology sources and Orozco y Berra and several others.

The CHAIRMAN. In connection with your studies of the work of Orozco Berra, have you examined a map prepared from these sources supposed to contain, as accurately as it is possible to set it forth, the boundaries of the different Indian tribes of all Mexico, as well as those of southern Mexico?

Mr. GATES. I have.

The CHAIRMAN. Will you refer to Lumholtz's Unknown Mexico and the map in connection with that book, and state from your knowledge and research whether that map prepared by Lumholtz upon the data of Orozco y Berra, and from the examination of ruins, is comparatively accurate, in your judgment?

Mr. GATES. Another man might make some minor differences, but I don't believe anybody could hit it much closer. I think that map is as closely correct, with some exceptions down in the south of Mexico, where I have myself confirmed some details. I think that map as a whole is as correct as you can probably get it.

The CHAIRMAN. This map will be placed in the evidence and reprinted at this point.

(The map referred to faces this page.)

The CHAIRMAN. You know something of the languages of the different tribes of Mexico, and, of course, you are familiar with the

research of the Smithsonian Institution along that line, or at least with the publications containing the research of their own agents and other parties' agents?

Mr. GATES. Yes, sir.

The CHAIRMAN. Do you know how many distinct languages, as differentiated from dialects, are in the various States of Mexico; how many distinct tribes of Indians occupied that country?

Mr. GATES. It is my habit never to give a specific detail on those questions without referring at the moment to my source, which is a habit that has grown upon me, so that I am not at the moment able to do more than say I imagine about 25 or 30. I do not want to make that as a scientific statement without actually looking up the record.

The CHAIRMAN. I will ask you to refer to the original publication, which you will find in my office across the hall, and correct me if I am wrong in stating that Lumholtz and other authorities places the number at 50 distinct languages, and something like 500 dialects spoken in Mexico?

Mr. GATES. I think I can cover that at the moment. The Maya race has at least eight separate divisions, mutually unintelligible, by which I understand the language is as different as French is from Spanish, and about 25 or 30 dialects among the Maya races alone. Taking it that way, when I speak of 25 or 30, I am speaking of the Maya race alone. I am quite satisfied without further reference, to accept Lumholtz's statement of 50 and 250—50 tribes who can not understand each other's talk, and perhaps 250 dialects mutually unintelligible within their own race.

The CHAIRMAN. The purpose of this line of examination is to give the American people some idea of the population of Mexico as it exists now.

Mr. GATES. Yes, sir.

The CHAIRMAN. Which I understand to be the grafting from the original Indian stock, with a dialect separate from the supposedly Spanish bred.

Mr. GATES. There are 10,000,000 Indians, of which 2,000,000 only speak their own language, and at least 8,000,000, I understand, are pure bred.

The CHAIRMAN. You have referred to a trip which you made some years since to Mexico, when you were honored by being made a member of this Mexican archeological society. When did you make that particular trip? When did you leave for Mexico?

Mr. GATES. From the middle of June, 1917, to May, 1918.

The CHAIRMAN. Where did you start for? What part of Mexico?

Mr. GATES. I started from New Orleans, went to Yucatan, down about 800 miles on horseback through Yucatan, went to Vera Cruz, to the City of Mexico, back into the State of Vera Cruz, and up into the mountains to see revolutionary territory then under the control of Felix Diaz and to meet him, back to Mexico City, down south, up into Morelos, where I spent several weeks with Zapata, then to Oaxaca, where I spent two weeks going to see the ruins of Mitla and Monte Alban. I did quite a little bit of visiting of ruins. It was really an archeological trip. From there I went up into the

mountains of Oaxaca, where I spent several weeks with Meixuerio, rode overland down over the Oaxaca Mountains to the Isthmus of Tehuantepec, and out through Salina Cruz, going about 1,500 miles on horseback.

The CHAIRMAN. Was the sole object of that trip archeological research?

Mr. GATES. With a very definite idea in the back of my head that I would like to know what was going on in Mexico, and could not find out any other way.

The CHAIRMAN. Who financed that trip?

Mr. GATES. I did.

The CHAIRMAN. Did you have any assistance from anyone else?

Mr. GATES. None.

The CHAIRMAN. Who accompanied you?

Mr. GATES. Nobody.

The CHAIRMAN. You made the trip on horseback or mule back?

Mr. GATES. Yes, sir.

The CHAIRMAN. You had your Mexican or Indian moso traveling with you, did you not?

Mr. GATES. At times entirely alone, at times with a moso.

The CHAIRMAN. You have referred to and placed in the record correspondence between yourself and Secretary of War Baker, and you have written for the public press, concerning Mexico, the political affairs of Mexico, the social and political conditions in the Republic of Mexico. Have you been employed by anyone to do that writing?

Mr. GATES. By nobody, nor was it suggested to me by anybody to do it.

The CHAIRMAN. Do you mean to say that in all of your study, making this great collection which you have made, of ancient literature, documents, etc., and in your personal investigations, trips, tours in Mexico, coming in contact with the different factional leaders of Mexico, the Mexican and Indian people, that you have financed yourself entirely?

Mr. GATES. Certainly.

The CHAIRMAN. Pardon a personal question. Are you a man of independent means?

Mr. GATES. I am. I retired from business about 15 years ago and put money making out of my life entirely.

The CHAIRMAN. Then you are not a propagandist in the pay or employed in the interest of any faction in the United States or Mexico interested in Mexico?

Mr. GATES. Neither actual nor possible.

The CHAIRMAN. Then, if you have been classed and referred to by people in the United States and in Mexico as the agent of Mexican bandits, you at least have not been in the financial pay of such bandits?

Mr. GATES. Decidedly not, of those poor ragged peons down in Mexico.

The CHAIRMAN. On that trip did you meet Felix Diaz?

Mr. GATES. I did.

The CHAIRMAN. Felix Diaz was a nephew of former President Porfirio Diaz, was he not?

Mr. GATES. Yes, sir.

The CHAIRMAN. What was he doing when you met him in Mexico?

Mr. GATES. He attacked the town of Paso del Macho with his forces, trying to cut the railroad there, just as I was passing in to Paso del Macho.

The CHAIRMAN. In what State?

Mr. GATES. In the State of Vera Cruz, just east of the mountain range.

The CHAIRMAN. Do you mean he was a revolutionist against the Carranza Government?

Mr. GATES. Yes, sir.

The CHAIRMAN. Have you knowledge from information and sources which you consider reliable as to what has been the occupation of Felix Diaz from that time until this time?

Mr. GATES. I think he has continued in the same territory and in the same occupation.

The CHAIRMAN. You spoke of Zapata. Did you meet Emiliano Zapata at that time?

Mr. GATES. Yes, sir; I spent several days with him, and several weeks with his company.

The CHAIRMAN. In what State?

Mr. GATES. Morelos.

The CHAIRMAN. How far from the city of Mexico?

Mr. GATES. We were under the southern shadow of Popocatepetl, the mountain, but in the middle of Morelos, perhaps 50 miles.

The CHAIRMAN. From the city of Mexico?

Mr. GATES. On a direct line.

The CHAIRMAN. Did you see the followers of Zapata?

Mr. GATES. I did; lived with them.

The CHAIRMAN. Do you speak the Spanish language?

Mr. GATES. I do.

The CHAIRMAN. Did you find these people speaking the Spanish language? Were you able to converse with them?

Mr. GATES. Easily.

The CHAIRMAN. Most of the followers of Zapata speak other languages than Spanish, do they not?

Mr. GATES. I imagine most of them speak Aztec also, but heard no Aztec.

The CHAIRMAN. Did you have conversations with Zapata and his leaders and his men as to their objects, what they were doing?

Mr. GATES. Quite a number of them.

The CHAIRMAN. What were they doing? Were they supporting the Carranza Government?

Mr. GATES. Opposing the Carranza Government.

The CHAIRMAN. What were they seeking to do?

Mr. GATES. Land for the people of Morelos, for the common people of Morelos, and nothing else.

The CHAIRMAN. Do you know what has become of Zapata?

Mr. GATES. He was betrayed under a flag of truce and assassinated by Col. Guajardo, who was commended by Gen. Pablo Gonzalez for the act.

The CHAIRMAN. Pablo Gonzalez admitted in the public press that he had sent Guajardo out for that purpose.

Mr. GATES. He did.

The CHAIRMAN. Under orders of the first chief, Carranza?

Mr. GATES. I have a detailed report which was made by one of Zapata's subordinate followers to Magana in regard to what happened. That report has not been printed, but it was sent to me privately.

The CHAIRMAN. Since Zapata's death, do you know whether his followers have attempted to maintain themselves in arms and opposed to the Carranza Government?

Mr. GATES. I do know actually that they have.

The CHAIRMAN. You spoke of Meixuero in Oaxaca. Who is Meixuero?

Mr. GATES. Meixuero is a man of culture, whose father was a governor of the State before him. He was himself elected governor, but resigned in order to do better work, and has been the leader of the State forces of Oaxaca, from the time when in 1915 the Carranza general invaded Oaxaca. Meixuero is a cultured man, nearly a full Zapotec Indian.

The CHAIRMAN. The majority of the inhabitants of the State of Oaxaca are of what blood?

Mr. GATES. The Zapotec and Miztec races, which are as close as Spanish and Portuguese, two dialects and one language. They occupy practically the whole of the State of Oaxaca.

The CHAIRMAN. Do you know of what blood the Liberator Benita Juarez was?

Mr. GATES. Pure bred Zapotec.

The CHAIRMAN. Do you know, from your investigation and research, of what Indian stock Porfirio Diaz was?

Mr. GATES. About one-eighth Miztec—another branch of the Zapotec.

The CHAIRMAN. Do you know of what blood Vittorio Morelos was—the man who gave the first constitutional government to Mexico?

Mr. GATES. No; I don't remember. I am not able to recall that at the present time.

If it interests you, Senator, in passing. I have the original proclamation issued by the Carranza representative in Oaxaca in 1914, that the State government, congress, and all, should cease its function—including the judiciary.

The CHAIRMAN. That was the State government of Oaxaca?

Mr. GATES. That was the State government of Oaxaca, and in the interest of the revolution, the Carrancistas had taken possession of the State. The result was the secession.

The CHAIRMAN. Who was that signed by?

Mr. GATES. Miguroa. That is his original proclamation on entering the State, and that resulted in Meixuero and Zapata declaring the State sovereignty reassumed which had prevailed in Mexico, and that is the original proclamation of the reassumption of that sovereignty. That is the original document of the reassumption of the State sovereignty of Oaxaca, which had prevailed in Mexico, and it is dated the 3d of June, 1915. It has been signed by Meixueiro and his officers, and that has continued from that day to this, administering the interior of the State under the State officials.

The CHAIRMAN. The State government—the legal constitutional State government of Oaxaca—has never admitted or submitted to the Carranza Government?

Mr. GATES. No, sir. Temporarily, prior to that, they had given adherence to Carranza in the early days, in his entry in 1914, but following that invasion of the State's rights, they repudiated him.

The CHAIRMAN. That invasion took place in 1915, did it not?

Mr. GATES. In 1914; November, 1914—when Carranza was in Vera Cruz.

The CHAIRMAN. The declaration you speak of—signed by the State officials and Meixueiro—

Mr. GATES. Was in June, 1915.

The CHAIRMAN. Did you ascertain from Meixueiro and his associates what their purposes were, why they opposed the Carranza régime or government?

Mr. GATES. Because of its illegitimacy, because of its anti-Americanism which they regarded as fatuous and not the proper policy for Mexico, and because of its aggression upon the homes and property of the people of Oaxaca.

The CHAIRMAN. Now, you referred in one of these communications to Secretary Baker to one Pelaez. Who is Pelaez?

Mr. GATES. I do not know whether Pelaez is an Indian or not. I imagine he has Indian blood.

The CHAIRMAN. Where is he operating and what is he doing: what has he been doing?

Mr. GATES. Up in the oil region, behind the coast, where, since about 1916, he was moved to protect his neighbors from violation of their homes and their women by the Carranza soldiers, and that led to the development of a protective body which protected the oil wells from Carranza soldiers and German and radical bolshevists' efforts to impede the oil supply at the time when we needed oil.

The CHAIRMAN. These documents which you inclosed to Secretary Baker, containing a statement of objects by Felix Diaz, the Zapatas, the Oaxacans, Meixueiro, Pelaez, set forth their opposition to the Carranza government?

Mr. GATES. Yes, sir.

The CHAIRMAN. About how many men did you understand were followers of Zapata? I mean men able to bear arms.

Mr. GATES. It is a difficult question to answer, because the whole organization was that of a yeomanry which tilled their fields without pay and took their guns when it was necessary. Practically, the various leaders lived with a small immediate body of 50, 25, or, possibly, 100 men. I do not think I ever saw 100 at once, either with Meixueiro, Zapata, or Felix Diaz. And from my travels through the country, my talks with the common people as I went, I am satisfied that either of them could have amassed, if necessary, several thousand men.

The CHAIRMAN. You did not meet Pancho Villa or Francisco Villa?

Mr. GATES. No, sir; I did not.

The CHAIRMAN. Did you learn anything of his objects, and as to the number of men he had, and as to whether he lived about as the other leaders whom you visited?

Mr. GATES. I understood him to be very much in sympathy and pursuing the same line. I would imagine that, with the differences between the north and the south, their cases were parallel, and that he was in agreement with the south. I knew that from the fact that

Zapata spoke of communications passing between him and Villa, and even wrote to Villa and told him that if I ever came Villa's way I was a friend of the common people of Mexico.

The CHAIRMAN. As a matter of fact, after the revolution of Huerta, and during that revolution, when the conventional government of Mexico was formed, which resulted in the election or selection by that convention of Eulalio Gueterrez as the President of Mexico, Mexico City was occupied by the joint forces of Zapata and Pancho Villa, was it not?

Mr. GATES. Yes, sir.

The CHAIRMAN. That was prior to the recognition of Carranza by this Government, and they occupied the city until that time?

Mr. GATES. That was the middle of 1914, June, 1914, I think.

The CHAIRMAN. So that the forces of Pancho Villa and Zapata were cooperating at that time?

Mr. GATES. They were.

The CHAIRMAN. Were you in Mexico during an election of any kind?

Mr. GATES. I was in Yucatan on the day of election.

The CHAIRMAN. What was that election? Was it a general election?

Mr. GATES. That election was for the governor of the State and the legislature. In fact, I have a ballot here somewhere among these papers. It was a public election, around a table put up in different places publicly, in which the government had appointed the inspectors of the election for both parties.

The CHAIRMAN. Were there two parties?

Mr. GATES. Oh, yes; there were two candidates. There was Castro, who was the Alvarado bolshevist candidate, and a man opposing him. The board which the government appointed as inspectors represented both candidates. The Indians then came up, and the most of them not being able to read or write, stood in an open body in the middle of the street and would say, "I want to vote for so and so," and his name was written down, a ballot was cast, and so Castro was elected, with the provision that if you did not vote that year you could not vote the next year, and then the government keeps the records of the voting last year, so that it becomes quite complicated.

The CHAIRMAN. You say these were general elections. Did you ever have your attention called to a proclamation concerning the election and qualifications of voters, etc.?

Mr. GATES. I have, in the first place, in the official Government report of the election for the constitutional convention, which was to adopt this famous constitution of 1917, the original terms upon which people could vote. I can abbreviate them with a word. Nobody who has served under any former government, nobody who has carried arms under any former government, could vote. Nobody could vote who was not a Mexican citizen, or who had not been actively practically helping Carranza. That was the constitutional convention. In the town of Paso del Macho, where I was waiting to go out to see Felix Diaz, I think there were very few of the people in the town who voted. At this time the State of Vera Cruz had been supposed to be taken out of the preconstitutional dictatorship, and had become an ordinary constitutional unit in election.

The CHAIRMAN. When you say the preconstitutional dictatorship, do you mean the Carranza Government?

Mr. GATES. That period of the Carranza Government in which he declared a preconstitutional period, in which decrees and military government was the method.

The CHAIRMAN. That paper which you hold in your hand, printed in Spanish, is the original proclamation of that constitutional election, is it?

Mr. GATES. A constitutional election after the State had become a constitutional State.

The CHAIRMAN. The first constitutional election?

Mr. GATES. I do not know whether it was the first or not. It was for the governor of the State.

The CHAIRMAN. Who is that signed by?

Mr. GATES. Candido Aguilar, the son-in-law of Carranza, at that time governor of Vera Cruz, and afterwards foreign minister.

The CHAIRMAN. How did he happen to be governor of Vera Cruz? Had he been elected governor of Vera Cruz?

Mr. GATES. He was first appointed and I imagine, I can not answer definitely, I think it most probable that he had had some sort of an election, probably the sort of an election that Castro had in Yucatan following his appointment. At all events, he was called the preconstitutional governor. I suppose afterwards there was an election; I don't know.

The CHAIRMAN. That document is in Spanish. Can you read it in English?

Mr. GATES (reading):

Candido Aguilar, constitutional governor of the free and sovereign State of Veracruz-Llave, to the inhabitants thereof, know ye:

That the honorable legislature of the same has been pleased to address to me the following decree:

Number 20. The honorable legislature of the free and sovereign State of Veracruz-Llave, in the name of the people, decrees:

Only article. An addition is made to the electoral law on the free municipality of date of November 14, 1917, with the following transitory article:

ART. 6. The election of municipal functionaries, in one or more of the persons herein mentioned, shall be void:

I. Those who by any means undertook the overthrow of the lawful Government of the Republic, emanated from the elections of 1911.

II. Those who carried out the barrack uprising (*cuartelazo*) in 1913, or in any manner contributed to its realization.

III. The functionaries, authorities, and public employees emanated from the usurping Government: and those who, having emanated from the lawful Government sanctioned and collaborated, in an effective manner, in sustaining the usurper.

IV. Those who have figured actively in any of the factions opposing the constitutional Government, or who continue to be hostile to the present Government of the Republic; and

V. Those who economically, through the press or in any other manner duly verified aided or have stated their adhesion or sympathy with the usurping Government or factions hostile to the present government.

Given in the honorable city of Cordoba December 5, 1917.

CUSTAVO BELLIO, *Deputy President*.
C. MURRIETA, *Deputy Secretary*.

Therefore I order it printed, etc.

Constitution and Reforms. December 6, 1917

C. AGUILAR.

Licentiate JOSE M. MENA,
Secretary of State.

The effect of which is that anybody opposed to Carranza can not be elected as constable.

The CHAIRMAN. In this connection I have a translation of a proclamation issued by Castro, the governor of Yucatan, which I desire to have incorporated in the record following the proclamation of Aguilar just read by the witness.

(The document referred to is as follows:)

[Office of the secretary general of the preconstitutional government of the State of Oaxaca, Oaxaca de Juarez. Department of the treasury, fiscal section. Circular No. 14.]

With the approval of the citizen governor and military commander of the State, the public in general is informed that, beginning on this date, private individuals, and especially lawyers, are prohibited from coming to discuss with this government the administrative affairs of the common councils, with the warning that infraction of the present provision will be punished with a fine of from \$5.00 five pesos to \$500.00 five hundred pesos, in the discretion of this government. Municipal presidents are likewise warned to abstain from going to said persons to consult them on their affairs, which they must do directly with this government, likewise with the warning that in their case the infraction will be punished as it deserves.

CONSTITUTION AND REFORMS.

OAXACA DE JUAREZ, *December 23, 1916.*

The chief clerk in charge of the department, I. Olive.

Electoral law of August 1, 1916, Oaxaca.

Transitories:

ART. 1. For this occasion the following can not be elected:

I. Those who have fought the present government with arms.

II. Those who have held public offices in hostile factions, and

III. Those hostile to constitutionalism.

Given in the palace, etc.

The governor and military commander of the State, general of division,

J. A. CASTRO.

The CHAIRMAN. That election referred to in the proclamation of Aguilar was for delegates to the constitutional convention which framed the constitution of 1917 and its famous article 27?

Mr. GATES. Yes, sir. I would like to say that the reports of the Carranza officials to that convention noted the complete apathy of the people in that election. It says the election went on "as if we were still under the Porfirian terror, and although there were over 70,000 inhabitants in that State in some districts not 20 people voted." It then says that—

The result is that notwithstanding the purely political antecedents of the people chosen for the constitutional convention which adopted the constitution of 1917, by the paucity of their understanding and their intellectual weakness they afforded no good in the august chamber of the Government.

That is the statement in the Carranza official report made to the convention and which Carranza presented to the people in 1917.

The CHAIRMAN. In your study of the conditions on the ground did you have your attention called to the purposes of the leaders of the Carranza government, as set forth in any public way, with reference to the so-called labor organizations in Mexico?

Mr. GATES. I not only saw that practiced in the place where it had its greatest "vogue" and its greatest expansion, in Yucatan, but I also traced it historically through the newspapers over the whole

period of Zapata's and Villa's occupation in the early days, including the delegates to the constitutional convention.

The CHAIRMAN. Did you ever hear of an organization in Mexico corresponding in any degree to what is known as the I. W. W. organization in the United States?

Mr. GATES. The I. W. W. organization in the United States had its branches, or if not its branches, it was organized in Mexico as the "Casa del Obrero Mundial." That is a liberal translation of "Industrial Workers of the World."

The CHAIRMAN. Did you secure any information as to the cooperation of the Government, or Government officials, with reference to that organization known as the Casa del Obrero Mundial?

Mr. GATES. I have two documents which I shall link together very briefly. When Carranza entered Mexico City in 1914 he was offered by Villa and Obregon the provisional presidency, provided he would call an election at once for a congress and introduce the governmental reforms needed. Carranza refused. Villa and Zapata were too strong for him, and he left the city in the summer, and about November was in Vera Cruz. Salvador Alvarado had been commandant militar in Mexico City.

The CHAIRMAN. The American forces waited in Vera Cruz until Carranza arrived there?

Mr. GATES. The American forces waited at Vera Cruz until Carranza arrived there.

The CHAIRMAN. And turned it over to him?

Mr. GATES. Yes, sir. I think it was November 23. Salvador Alvarado is the center of the entire Bolshevist question. He is the man who expected to make a Bolshevistic state of Mexico, after Yucatan.

The CHAIRMAN. The whole Republic?

Mr. GATES. The whole Republic. After Carranza reached Vera Cruz and issued that decree, dated December 12, making himself dictator, as you know, on the 6th of January, 1915, there was drawn up in Vera Cruz a document entitled: "Revolutionary confederation. Defense and realization of individual autonomy and of the rights of the collectivity. Within the constitution social reforms will be realized, which will emancipate the people." I will introduce the whole of it, which appeared in the official Alvarado publication, *The Voice of the Revolution*, and I will refer specifically to section 4.

To collaborate with citizens in the annihilation of the clerical, bourgeois, and military reaction, propagating and diffusing in the country and abroad the principles of the revolution.

In short, an anticapitalist organization. That was signed for the central organization committee by—

Gen. Alvaro Obregon, Engineer M. Rolland, Gen. Salvador Alvarado, Gustavo Espinosa Mireles, Gen. Maclovio Herrera, Rafael Nieto, Engineer Alberto Pani, Gen. Gabriel Gavira, Jesus Urueta, Dr. Atl, Luis Cabrera, Gen. Manuel M. Dieguez.

About the same time a plan was arranged by which Alvarado was to have the State of Yucatan to begin with the capitalists over there. He went on south, was appointed governor of the southeast, and proceeded to invade Yucatan, which had declared for Carranza, who

had freed the slaves under a decree abolishing wage peonage. The governor of Yucatan was a native Yucatecan, who first had allied himself with Carranza, after Carranza had left Mexico City in the hands of Villa and Zapata, and the whole State was in accord with Carranza when Alvarado proceeded to invade it as a part of this Bolshevik plan then developing.

I have one document here which I should like to read one line from. On his entry in March 2, 1915, before he came into Tenabo, Alvarado issued a proclamation, of which this is the original, to the people, in which he said:

Blood will run in torrents, families will weep in helplessness over the loss of the father, the husband, or brother. Owners will see their plantations disappear in many cases, which, being the theater of battles, those engaged in the struggle will burn. Ruin and desolation will invade the country and cities and more will die of want than in the contest. And all these horrors, for ambitious wretches to flee with the booty, the proceeds of their robberies, and exemplary punishment to fall on the deluded for their crimes.

Do not doubt it. Yucatan can not resist the valor of numerous veteran troops.

The CHAIRMAN. That will be translated and incorporated in the record.

(The document referred to is as follows:)

PROTEST AND PROMPTING—GEN. ALVARADO ADDRESSES THE PEOPLE OF YUCATAN FROM TENABO IN MARCH, 1915, WHEN BEGINNING A VIGOROUS CAMPAIGN AGAINST THE REACTION OF ARGUMEDO.

With profound indignation I have just learned that the traitor Abel Ortiz Argumedo has committed the infamy of spreading, among the constitutionalist forces now in Yucatan, the atrocious calumny that I am a rebel against our First Chief Venustiano Carranza and that I have ordered Gen. Ramon Sosa and the officers of the staff of Gen. Garcilazo shot, keeping the latter in prison. I protest with all my energy against such criminal falsehoods.

That these forces may not be deceived, and to avoid the great disgrace of valiant soldiers consecrated to the same constitutionalist cause fighting against each other in the campaign I am conducting against the real rebels and traitors, Ortiz Argumedo and accomplices, I hasten to say to them, on my honor as a soldier, which I esteem more than my life, that it is all a criminal tissue of monstrous and brutal lies; that Gen. Garcilazo and his staff, treated with every consideration on my part and by Col. Joaquin Mucel, the worthy governor and military commander of Campeche, is in Vera Cruz with our first chief, together with his officers, and, finally, Gen. Ramon Sosa, at the head of his valiant soldiers, is operating under my immediate orders in this campaign, and very soon you may see him on the firing line.

Col. Jose Jimenez, Maj. Abraham Rodriguez, and other field and line officers, as well as all of yourselves who respectively belong to the constitutionalist forces under command of Gens. Garcilazo and Sosa, must know my antecedents and my doings as a patriot and as a soldier in defense of the people; you must know that recently, after I had taken part in the bloody capture of Puebla, rescuing that city from the hands of the Zapatistas and Villistas, the citizen first chief intrusted to me the command of the army corps of the southeast, to which you belong, and with these forces, which have given such proof of their valor and patriotism, I come to fight for our holy constitutionalist cause here in Yucatan, to annihilate, if it should be necessary, this small group of traitors who have rebelled against our cause and against our esteemed and upright first chief, Venustiano Carranza. And I say small group of ambitious traffickers of public pakes because I am convinced that the real people of Yucatan, composed in an immense majority of laborious citizens, honest workers, and farm laborers, must be with us and identified with the revolution and our first chief, who, among other transcendental reforms, is restoring lands to the poor, establishing justice, and breaking the chains of slavery.

Let the laborious and worthy people of Yucatan think these wretches are driving the heedless to die needlessly. Let them think that, when the struggle

begins, laborers will be without work, homes without bread, farms without laborers. Blood will run in torrents, families will weep in helplessness over the loss of the father, the husband, or brother. Owners will see their plantations disappear in many cases, which, being the theater of battles, those engaged in the struggle will burn. Ruin and desolation will invade the country and cities and more will die of want than in the contest. And all these horrors, for ambitious wretches to flee with the booty, the proceeds of their robberies, and exemplary punishment to fall on the deluded for their crimes.

Do not doubt it. Yucatan can not resist the valor of numerous veteran troops. Even though it might do so in the first encounters, the head of the revolution would send more and more, and Yucatan, without revenues, would exhaust her resources in sustaining forces and would succumb without remedy.

Don't wait for us to weep late and in vain over such calamities. Get away from the evil and perverse instigators who are pushing you into an abyss. Come to my side. I urge you in the name of constitutionalism. Let us avoid the catastrophe and together work for the fatherland and for the State.

And you, soldiers of the fatherland, don't allow yourselves to be dragged along by deception and intrigue.

Your place of honor and combat is here under my orders. Come, work in the presence of our glorious banners. I await you with open arms to make our blessed constitutionalist cause triumph once more by carrying this revolution to its termination, the savior of the Mexican people.

General headquarters at Tenabo, March 2, 1915.

SALVADOR ALVARADO,

*Commander in Chief of the Army Corps of the Southeast,
Governor and Military Commander of Yucatan.*

Mr. GATES. As an immediate consequence of the revolutionary confederation agreement signed by the 12 whose names I have read, the Voice of the Revolution, on the 15th of July, 1915, printed the following:

The constitutionalist revolution and the House of the Workers of the World enter into a compact.

Faithful to its purpose, the revolution will improve the condition of the laborers.

Then follows the celebrated agreement between the constitutionalist revolution and the I. W. W. between Rafael Quintero, secretary of the interior for the first chief, and a representative committee of the workmen of the I. W. W. for the whole of Mexico. Among other things, it provides this:

The workers of the House of the Workers of the World shall make active propaganda to win the sympathy of all the workers in the Republic and of the Workers of the World for the constitutionalist revolution by demonstrating to all Mexican laborers the advantages of joining the revolution, since the latter will make effective for the laboring classes the improvements the latter seek through their groups.

It also provides in another paragraph:

The workers who take up arms in the constitutionalist army and the workwomen who give their services for attention to and treatment of the wounded or other similar services shall have but one denomination, whether they be organized in companies, battalions, regiments, brigades, or divisions. All shall be designated as "reds."

The CHAIRMAN. That article will be translated and the translation printed in the record.

(The document referred to is as follows:)

[From *La Voz de la Revolucion*, Merida de Yucatan, July 15, 1916.]

The constitutionalist revolution and the House of the Worker of the World enter into a compact.

Faithful to its purposes, the revolution will improve the condition of the laborers.

To our editorial table has come the compact entered into between the constitutionalist revolution and the House of the Worker of the World, composed of the numerous groups of labor syndicates in the Republic, and we publish it to show that the labor element is allied to the revolutionary cause which is headed by the First Chief Venustiano Carranza.

COMPACT ENTERED INTO BETWEEN THE CONSTITUTIONALIST REVOLUTION AND THE HOUSE OF THE WORKER OF THE WORLD.

In view of the fact that the workers of the House of the Worker of the World adhere to the constitutionalist government headed by Citizen Venustiano Carranza, it has been agreed to put on record the relations of said government with the workers, and those of the latter with the former, in order to determine the form in which they are to give their collaboration with the constitutional cause, the following sign the present document for the purpose: For the House of the Worker of the World: Citizen Rafael Quintero, Carlos M. Rincon, Rosendo Salazar, Juan Tundo, and Celestino Gasca, appointed as a committee to the first chief of the constitutionalist army, in charge of the executive power, for the revolutionary committee of the City of Mexico, which, in its turn, represents the House of the Worker of the World, and by Licentiate Rafael Zubaran, secretary of the government of said first chief.

First. The constitutionalist government reiterates its resolution, stated in the decree of December 4 of the year last passed, to improve, by appropriate laws, the condition of laborers, issuing during the struggle all the laws that may be necessary to carry out that resolution.

Second. The workers of the House of the Workers of the World, for the purpose of hastening the triumph of the constitutionalist revolution and intensifying as far as possible the unnecessary shedding of blood, put on record the resolution they have taken to collaborate in an effective and practical manner for the triumph of the revolution and to take up arms either to garrison towns that are in the possession of the constitutionalist government or to fight the reaction.

Third. To carry out the provisions contained in the two preceding clauses, the constitutionalist government will, with the solicitude it has heretofore employed, attend to the just claims of the workers in the conflicts that may arise between them and their employers as a consequence of work.

Fourth. In towns occupied by the constitutionalist army, and that the latter may be unhampered in meeting the needs of the campaign, the workers shall be organized in accord with the military commander in each place for the protection of the same and the preservation of order.

In case of the evacuation of towns, the constitutionalist government, through the respective military commander, shall notify the workers of his decision and furnish them every kind of facilities to reconcentrate in places occupied by constitutionalist forces.

The constitutionalist government, in cases of reconcentration, shall give aid to the workers, either as remuneration for the work they do or as fraternal assistance, until work is furnished them to enable them to meet the main needs of subsistence.

Fifth. The workers of the House of the Workers of the World shall make lists in each one of the towns where they are organized, and at once in the City of Mexico, including the names of all their companions who solemnly offer to comply with the provisions of clause second. The lists shall be sent as soon as they are completed to the first chief of the constitutionalist army, that he may be informed of the number of workers who are disposed to take up arms.

Sixth. The workers of the House of the Workers of the World shall make active propaganda to win the sympathy of all the workers in the Republic and of the Workers of the World for the constitutionalist revolution by demonstrating to all Mexican laborers the advantages of joining the revolution, since the latter will make effective for the laboring classes the improvements the latter seek through their groups.

Seventh. The workers shall establish revolutionary centers or committees in all the places they judge convenient to do so. The committees, besides the propaganda work, shall supervise the organization of labor groups and their collaboration in favor of the constitutionalist cause.

Eighth. The constitutionalist government shall, in case it be necessary, establish colonies of workers in zones which it has dominated to serve as a

refuge for the families of the workers who have declared their adhesion to the constitutionalist cause.

Ninth. The workers who take up arms in the constitutionalist army and the workwomen who give their services for attention to and treatment of the wounded, or other similar services, shall have but one denomination whether they be organized in companies, battalions, regiments, brigades, or divisions. All shall be designated as "reds."

Constitution and reforms.

Greeting and social revolution.

Honorable Veracruz, February 17, 1915.

Signed: Rafael Zubaran Capmany, Rafael Quintaro, Carlos M. Rincon, Rosendo Salazar, Juna Tudo, Salvador Gonzalo Garcia, Rodolfo Aguirre, Roberto Valdes, Celestino Gasca.

Mr. GATES. Alvarado was soon joined by a man named Habermann, a German who left this country about that time to escape the draft, and who became in a large way the brains behind an agitator named Felipe Carrillo, and proceeded to organize leagues of resistance all over the State of Yucatan, whose name explains their purpose. Some time later, when Alvarado and Pablo Gonzales began to jockey for the presidency, Pablo Gonzales sent a man over there that took 3,000 rifles from these leagues of resistance. Felipe Carrillo became a member of the legislature, and was appointed temporary governor of Yucatan, in the absence of the elected governor. I have here, simply for verification, a printed document issued by him as such governor. He was also president of the league of resistance, and I have a document signed by him in facsimile as president of the league of resistance.

At the election in Yucatan a liberal candidate appeared and Felipe Carrillo went to a store and bought a gross of knives, and attempted to invade the precinct against the law, and when the liberal candidate objected they carved him up, and then arrested him for being carved up.

That same Felipe Carrillo, while a member of the legislature, made a speech, of which I have a copy that I will hand to the stenographer, stating that "the hacendados have bought the courts. Let them remember the Indian uprising of 1847. If they attempt to stop us we will cut the throat of every white man who was left alive in 1847." That is the same Felipe Carrillo who was the right-hand man of Alvarado in this whole matter, the chief propagandist of the acting governor of Yucatan.

The CHAIRMAN. Has this same Felipe Carrillo visited the United States?

Mr. GATES. In the early part of this year he visited this country, traveling from California to New York, whence he sailed for Yucatan a few days before the May day troubles of last spring. On this entire trip he was in conference with one radical leader after another, making various speeches. While in Chicago he received from the secretary of the Socialist Party, located there, an autographed letter addressed to "Comrade" Gen. Alvaro Obregon, asking his views as to an appropriate time to start combined and joint action on the part of the Socialists of Mexico, Cuba, and the United States and Canada. This letter he took with him for delivery. He spent some time with Morris Hilquit, at Saranac Lake, arriving at New York, he made several addresses in Newark, Upper New York, etc., just before the above May-day events, and his own sailing.

•He visited the so-called party of soviet "ambassador" L. A. C. Martens, and delivered to him a letter officially addressed to Martens, by the socialists of Yucatan, stating among other things that "we have here a government greatly like yours of Russia" and looking toward cooperation. This letter Martens answered in the same spirit.

I have had all the above letters in my own hands, and have read them. They or their copies could be found in the proper hands in this country. They came to my eyes by a fortunate chance, quite casually, on April 30 last.

The CHAIRMAN. April 30, 1919?

Mr. GATES. Yes, sir. Felipe Carrillo also made a large collection of the most radical printed matter. One thing I particularly remember was a brutal cartoon of Samuel Gompers driving a knife into the back of "Labor." When Carrillo was about to sail, he was officially vouched for by the Mexican consul general in New York, as being in this country by the authority and approval of the Carranza Government.

The CHAIRMAN. That was Denegri?

Mr. GATES. Yes, sir. Mr. Lamb told me of those letters. The man who saw these letters was an employee of the customhouse, named Manley, who made the note which attracted my attention to it, and at my suggestion Mr. ——— sent over the Ward Line pier, where these letters were to be sent from, and the suit cases were brought back and I saw all of that original correspondence, including Marten's signature. I saw the signature of Obregon.

The CHAIRMAN. You saw the letter to Obregon?

Mr. GATES. Yes; I saw the letter to Obregon, and I should like to connect that in this way. Mexico had inaugurated a military régime, Carranza keeping the political balance. Something over a year ago Alvarado began to jockey against Pablo Gonzale for the presidency. Then began the fight in Yucatan. Throughout the whole Carranza administration Obregon had been rather outside the breastworks. I have the connection of Obregon with the bolshevist movement, and this convention in 1915, and the fact that Felipe Carrillo, Alvarado's agent, was taking back a letter addressed to Obregon.

The CHAIRMAN. Do you know from the public press or otherwise whether Salvador Alvarado has been in the city of Washington recently?

Mr. GATES. I am told he has been.

The CHAIRMAN. Do you know what he claims to be his mission here?

Mr. GATES. I am told he claimed to represent Obregon. I am satisfied it is a straw horse of his own ambition along these socialistic lines. I think he is trying to make use of Obregon. I have heard his connections are not so directly with Obregon as they are with P. Elias Calles. I think that is it.

The CHAIRMAN. P. Elias Calles, who is now one of the supposed leaders of what is known as the Sonora movement?

Mr. GATES. Yes, sir; which is also headed by Dela Bacca, who is an Alvarado commander.

The CHAIRMAN. Have you read the declaration of purposes or principles issued by Calles and others on April 5 of this year, in which they declare for the constitution of 1917?

Mr. GATES. I am not sure that I have, Senator. I have tried to forget Mexican matters the last few months, and get back to my book; but I am aware generally of that attitude.

The CHAIRMAN. Do you read Spanish?

Mr. GATES. Yes, sir.

The CHAIRMAN. Have you ever seen one of these little printed documents?

Mr. GATES. No, sir.

The CHAIRMAN. What do you understand it to be?

Mr. GATES. An application of membership of the Metal Mining Workers to the I. W. W.

The CHAIRMAN. What is the local number?

Mr. GATES. Local number 800.

The CHAIRMAN. Have you heard of that local, No. 800, in different portions of the United States?

Mr. GATES. No; I have not. What is local No. 800?

The CHAIRMAN. It seems to be the name which the I. W. W. has used for the metal workers. This application is written in what language?

Mr. GATES. Spanish, with a seal in English, "Industrial Workers of the World," I. W. W. label. It is an application for membership, with the words "Membership card." That is all there is in English. The rest is in Spanish.

The CHAIRMAN. Have you noticed anything in reference to a meeting of the Pan-American Labor Conference in Laredo, Tex., in 1918, and in New York in 1919?

Mr. GATES. I have at different times heard a good deal about that, and I made some definite notes, but I have no notes upon it here. I have regarded it as a very serious element in all this matter, of which a good deal was cooked up, and I wished I could get at the inside of what was done there. Some radical Latin American members from the eastern meeting at least later appeared in Yucatan, and I found their trail.

The CHAIRMAN. Glance over this statement which I hand you.

Mr. GATES. Yes; you have got it. It means business, too; and that is Alvarado's ultimate plan by which he hoped to secure the presidency of Mexico and put us in our place.

The CHAIRMAN. This document will be placed in the record.

(The document referred to is as follows:)

[From *La Nueva Solidaridad* (The New Solidarity), Chicago, second fortnight of October, 1919.]

GOMPERS AND MEXICAN LABORERS—STATEMENT OF J. D. BORRAN, MEXICAN DELEGATE TO THE PAN AMERICAN CONFERENCE.

As I was not permitted to speak or read the propositions received from the Case del Obrero in Tampico with instructions to present them to the Pan American labor conference in New York, I am obliged to appeal to the free press of the United States to express the ideas and thoughts of a majority of the laborers of Mexico, so that the proletariat of North America may form a clear idea of our aspirations and not believe us united in a repugnant fellowship with the leaders of the American Federation of Labor.

I will begin by saying the laboring people of Mexico have no sympathy with the American Federation of Labor; that they do not accept its policy as a basis for our struggle; that they reject the intervention of the authorities in their affairs; that they consider Gompers a charlatan and that they do not believe in the grand words of liberty by which powerful America seeks to deceive the world.

Invited by the council of leaders of the Pan American Federation of Labor, we came animated with the best intentions and with the hope of being able to contribute to the advancement of the laboring class and to do all we can to overcome the difficulties that separate us from the American Federation of Labor, and to organize the much-to-be-desired union of all the laboring people on the continent.

Although we know from experience that the American Federation of Labor does not keep the agreements it contracts with other labor unions, although it is duly diligent to carry out such as it contracts with the bourgeoisie, we are disposed to discuss with the other delegates and to organize with them, if we can reach an understanding, the great federation of America, which will represent the sentiment of all of us and will work for the liberty of all the oppressed.

Pursuant to these desires and to our principles, the Case del Obrero of Tampico transmitted through me to the Pan American Congress the following resolutions and recommends them as by-laws of the Continental Federation:

1. The Pan American Federation shall endeavor to group together all the labor organizations on the continent, all the organizations that are eligible under its principles.

2. The organizations composing the federation shall be self-operating among themselves, and the executive committee may refuse them its support in case any one demands it, provided it does not depart from the principles of the federation.

3. The Pan American Federation shall have nothing in common with the bourgeoisie or with the government of the bourgeoisie; the international solidarity of the laboring class shall be established as the principle of its struggle, and it will fight against any government that is imposed by force.

4. The Pan American Federation shall agitate the idea of the creation of rationalistic schools and liberating publications, and shall educate the laborers so that they may be capable and able to take possession of the wealth of society at a given moment, and regulate production and consumption.

5. The Pan American Federation shall hold communism as the ultimate ideal of its struggle and the acquisition and socialization of property as its immediate purpose.

6. The Pan American Federation shall not aspire to any dictatorship nor shall it unite with any government, and it shall use force to combat force.

7. The Pan American Federation recognizes as sisters the Republics of Russia and Hungary and will boycott the industries of any Government that imperils their existence and will aid them morally and materially, provided they do not depart from the principles heretofore followed.

8. The Pan American Federation recognizes as good the government of the soviets and will endeavor to include the same in its program as soon as may be possible.

In these resolutions are condensed the aspirations of the laborers of Mexico, and, in offering them as principles for the functioning of the Pan American Federation, the Case del Trabajador of Tampico is animated by the desire that they may also be the aspirations of all the laborers on the continent and that they be made known to all the oppressed at a no distant future.

It is not my purpose to write in detail the happenings of the four days of the Pan American convention held in New York. It was not a congress of laborers, nor was it composed of laborers. Of the 25 delegates only 2 were laborers. All the others were lawyers, bourgeoisie, and leaders in labor questions, all of them, including Mr. Gompers. There they discussed the League of Nations, the invasion of Santo Domingo and Nicaragua, and the danger these things might bring to Mexico. Of the problems of laborers, of the misery and the injustices that are destroying the laboring class, they have said nothing and, when I asked them to allow me to read my resolutions, and to speak about them, they rejected my request by 23 votes to 2, presenting the anomalous situation of 23 men, 23 representatives who rejected those propositions when they did not know them.

They did not permit me to read nor did they permit me to speak, and from this the laborers of all the continent can judge what sort of a convention was that which met in New York.

I must say that in view of the good intentions that animated me in coming to the convention, nothing except that occurred to molest us. Nevertheless, I believe if we had reached an agreement, nothing practical would have resulted from it. The American Federation of Labor agreed with us in the conference held in Nuevo Laredo a year ago to use its influence to obtain justice for industrial prisoners (I. W. W.'s in prison), and at the last convention the general strike for the liberty of Mooney which they had accepted was boycotted. The federation agreed with us to establish an agency in New York to educate laborers reaching there in ignorance of the struggle of classes, and the federation carried out its agreement by recommending to the American Senate to pass a law restricting immigration. The American Federation of Labor agreed with us to struggle for the right of assembly, of speech, and the press, and approved a resolution in its convention to expel from its organizations all members of radical tendencies.

I believe these lessons of the past give a clear idea of what the officers of the American Federation of Labor are capable of and of how they fail to carry out their agreements with the laboring class, and of how in their last convention they agreed to do nothing against the interests of the bourgeoisie.

In conclusion, I have the pleasure of saying in my own name and in that of the majority of the laborers of Mexico, that we do not consider Gompers a genuine representative of the laboring class of America.

We know that here you fight, that here you know how to die for them as we know how to fight and die. This encourages us; this comforts us; this brings us the full conviction that sooner or later we shall embrace as brothers to march forward united to the conquest of our emancipation.

Mexico burns with the secret fever of rebellion which no human power can control. And it is a great satisfaction to us, the laborers of the three Americas, to say to you that in that rebellion are conceded the aspirations of the proletariat of the universe.

Free men of America, in the name of the laborers and in my own name, I give you a fraternal embrace. We are with you. Be sure that our acclaim will be the echo of your acclaim, that our protests will mingle with yours, and that you will have our aid and our support, unconditional and decided at any time and on any occasion you need it.

Laborers of America, long life to the liberty of the world. Long life to the universal union of the proletariat.

We have given a place to this article not because we approve it, but to show once more the unfitness of the American Federation of Labor and its offshoot, the Pan American Labor Federation, at the present time, and having given this space to Comrade Borran, we desire to speak and to ask a few questions. Why so many efforts to form another new organization when we already have the I. W. W., which does everything desired, given the support and attendance of those concerned? Have you studied, perchance, or taken into exact account the principles and program of the I. W. W.? Now that many thousands of laborers in all parts of the continent know and form a part of the I. W. W., or the Industrial Workers of the World, would it not be a labor of disorganization and a turning aside to form another international labor organization? Why not unite all of us who are conscious and consequential in one sole grand union, such as the I. W. W., with its ample and revolutionary bases and principles, so as not only to fight daily against the capitalists, but also to take possession of the earth and industries and organize production and distribution when we succeed in routing capitalism and as soon as this falls by its own weight and corruption and the moral and material bankruptcy of the present system?

MR. GATES. I can not express myself too seriously as to the purpose and menace of that document.

THE CHAIRMAN. That document, of course, refers to the fact that the writer, representing the Tampico branch or local of the Mexican I. W. W., was not permitted to express his sentiments at the Pan American Union in New York, and therefore he writes them to Solidarity.

Do you know anything of what took place, as printed and published in the public press of this country, in the meeting of the so-called Pan American Labor Union, or Pan American organization of the workingmen, held in Laredo, Tex., on November 13, 1918, attended by William B. Wilson, Secretary of Labor, of the President's Cabinet; Samuel Gompers, Duncan, and other prominent American labor leaders; and by Morones and other prominent Mexican labor leaders; by the then Governor George W. Hunt, of Arizona, later named as minister to Siam; attended by delegates from different Mexican organizations and by delegates from the different labor organizations of other Latin American countries? Were you familiar with anything that took place there?

Mr. GATES. I have known of that meeting. I am satisfied I have read something from it; and, if my memory serves me, I wrote in one of my articles that if we could get the unpublished actions of that meeting they would be illuminating.

The CHAIRMAN. The committee has them. At least, one of the members of the committee has them.

Do you know Mr. Antonio Villareal, of Mexico?

Mr. GATES. I know him by name. I have his name in several documents, but I don't know much about him.

The CHAIRMAN. Have you heard his name mentioned recently, or seen it in the public press, in connection with Salvador Alvarado and P. Elias Calles?

Mr. GATES. I don't think I have. I am only reading the high lights of Mexican matters now. He was a member of that alliance. I think I have his name in a printed proclamation. I didn't pay much attention to it.

The CHAIRMAN. He was one of the organizers of the Mexican labor revolutionary junta organized in the United States in the year 1905, along with Ricardo Magon, Robela, Ceralio, and the other Magon, brother of Ricardo, and others, who were arrested in Los Angeles for violation of the neutrality laws.

Mr. GATES. Was it Ricardo or the other brother that was arrested?

The CHAIRMAN. Ricardo. The other Magon was a cousin of Ricardo. His first name I don't remember. I think it was Enrique. Villareal was a member of that first organization. They were arrested and tried for violation of the neutrality laws and convicted in 1908, at which time the American Federation of Labor, then in session at Denver, Colo., through its president, Mr. Gompers, wired sympathy and offers of assistance to the revolutionary junta, of which they were members. Later, after serving their time, they were arrested, tried, and convicted in Los Angeles for an invasion of Mexico, sending armed forces into Mexico, particularly into Lower California.

Mr. GATES. I think I remember that.

The CHAIRMAN. Have you heard of Mr. John Kenneth Turner?

Mr. GATES. Yes, sir.

The CHAIRMAN. And Lazaro Gutierrez de Lara?

Mr. GATES. Yes, sir.

The CHAIRMAN. Have you read Barbarous Mexico?

Mr. GATES. No. It was too stiff for me. I have read extracts. I know the character of the book, but I never read it through.

The CHAIRMAN. Do you know anything about that invasion of Lower California?

Mr. GATES. No, Senator; I do not. I don't think I can testify to anything about it.

The CHAIRMAN. You do not recall it?

Mr. GATES. I do not.

The CHAIRMAN. It is on record of the archives of the Senate committee that Mr. John Kenneth Turner was one of the collecting agents of money furnished from various sources, including locals of the I. W. W., and Lazaro de Lara was one of the members.

Mr. GATES. I am quite ready to believe it.

The CHAIRMAN. And they engaged in the invasion of Mexico for the purpose of establishing a socialistic republic in Lower California at that time.

Mr. GATES. Oh, I did hear of that. I remember now. I heard of it with that object.

The CHAIRMAN. It is interesting, in view of the claims of these certain gentlemen at this time that certain Americans are trying to intervene by armed force for certain purposes in Mexico, that some of these same people were convicted of intervening with armed forces in Mexico, by the United States court; and certain gentlemen who are most loud now in criticizing the investigations of this committee were shown by the record in the court to have been the leaders in the intervention at that time.

Mr. GATES. I have a little personal experience in connection with that, that is so much in that line it is worth telling you. A labor paper in New York was making a great noise over the fact that in one of my letters I said I had telephoned a protest to Washington against giving Carranza permission to send troops across our soil to attack Villa, stating to the officer to whom I telephoned, Gen. Churchill, who at once saw Secretary Baker and Mr. Polk, that if we did that nothing could stop Villa from raiding our border, and we would be responsible for it. The labor paper in New York published a loud headline, "Gates and the allies of the oil people fomenting a Villa raid on our people and confesses it." That was the Call. Of course, if it had been worth while suing it, I would have done it, but who wants to sue the Call?

The CHAIRMAN. Have you read a report published by this committee, containing a translation of a photostatic copy of a letter signed by Venustiano Carranza, with reference to certain plans which would be put in operation in the United States?

Mr. GATES. I have heard of that, but I have not yet read it.

The CHAIRMAN. In connection with that and other matters, the committee will file not to be incorporated in the testimony at this point but as an appendix to it, a report of one of its special investigators concerning the I. W. W. activities on this side and on the other side recently.

(The document referred to was marked "Exhibit 12," and the same appears in full at the close of the testimony of this witness.)

Mr. GATES. Just to get rid of it, too, I find on this question of interference in elections, I have a copy I made of an official document in the State of Oaxaca that I might submit.

The CHAIRMAN. Yes; that has been incorporated in the record in connection with the proclamation of Aguilar.

Mr. GATES. Oh, yes; I believe it was. I have an appeal made to the Governor of the State of Puebla, by various and numerous residents, of the way the Carrancistas were treating the common people, robbing them and carrying on all kinds of atrocities.

The CHAIRMAN. That may be filed also, but not printed in the testimony.

(The document referred to is herewith filed, but not printed as a part of the testimony.)

The CHAIRMAN. The committee will be in recess until 2.30 this afternoon.

AFTER RECESS.

- At the expiration of the recess, the committee reconvened, Senator Fall presiding.

TESTIMONY OF WILLIAM GATES—Resumed.

The CHAIRMAN. I want to ask you if you have had your attention called to a history of the organization of labor in the early days in Mexico, from the year 1910 down to September, 1916, made by one of the original Mexican labor organizers in Mexico?

Mr. GATES. Have I heard of it?

The CHAIRMAN. Have you read that?

Mr. GATES. I have read it. It agrees throughout with the result of my own research into the subject.

The CHAIRMAN. This will be incorporated in the record at this time.

In the year 1910, the printer Amadeo Torres, Spanish socialist, endeavored to unite all the printing workmen of the city of Mexico. From this work resulted the Confederacion de Artes Graficas, Graphic Arts Confederation, having become members of this, printers, binders, linotypist engravers, etc. Among the members of the Confederacion de Artes Graficas, were well known through their facility of word Rafael Quintero, Anastasio Maria, Fernando Rodarte, N. Armenta, and Frediswindio Elvira Alonso, these two last ones spaniards of socialist ideas.

That was after the dismissal of the Barcelona journalists in Spain.

The two last-named parties, due to advice of some renowned Maderistas, began to give to the Confederacion de Artes Graficas certain political orientation, and to that the Mexican tipographer Jose Lopez Donez did not agree, as he claimed the society should be with mutual ends only. On this object the newspaper of that time had discussions.

In 1911, a few months after the Confederacion de Artes Graficas was established, some of the members separated themselves headed by Rafael Quintero and at once started the establishment of the Casa del Obrero Mundial, having opened their offices at a house known by Estan co de Hombres, where the rents were paid for by enemies of the Gen. Porfirio Diaz's Government.

Rafael Quintero's name appears prominently in the discussions of the Pan American Federation of Labor in Laredo, Tex., on November 13, 1918:

Quintero, Armenta, Marin, Rodarte, and Elivera Alonzo, commenced to make revolutionary propaganda amongst the workmen, being so active that on several occasions the directors of the Casa Mundiay were called to the presence of the authorities and their attention called to the fact that they should not cover themselves under the name of the institution to do their political work.

Diaz Government fell and then the institution named "Casa del Obrero Mundial" declared itself openly revolutionary and claimed the premium of its work

which had helped to overthrow the Diaz Government, from the party that had the triumph.

Elvira Alonzo was named general manager of the Vida Nueva printing office, this being a paper established by Mr. Madero to be his defensor. Others received secret commission from Gustavo Madero and for their work received different amounts of money.

During the 18 months that Madero was at the head of the Government, Quintero and partners got about 4,000 members of both sexes for the Casa del Obrero Mundial due to the active propaganda and to the help received from the Government.

When the Maderista party fell, the directors of the Casa Mundial kept on playing politics and many of the members left the city of Mexico to go with the armies of Zapata at the south and Carranza to the north, having paid for all their expenses the treasury of the Casa del Obrero Mundial. Practically Rafael Quintero, Armenta, Rodarte y Elvira Alonzo were agents of the revolutionary party which was fighting against Gen. Huerta's government. The government knew this; but these parties were protected by the name of the corporation of which they were directors.

When Huerta fell, when the Carranza army took possession of the City of Mexico, they organized in a procession as members of the Casa del Obrero Mundial to congratulate Mr. Carranza for his revolutionary work and also to congratulate their friends who entered in a triumphal way to the city. Carranza at once told Quintero and Elvira Alonzo that they could choose the house that they liked the best to make them a present of it as a premium to the institution for the help rendered to his party to fight against the Huerta government. The directors of the Casa del Obrero Mundial wanted the building occupied by the Sanz Hotel, but I do not know for which reason Carranza did not want to give it, although he told them to look for another one in better conditions, having decided that it should be the building occupied by the church and convent of Santa Brígida, on San Juan de Letran Street, in front of the American Club. It was there that the Casa del Obrero Mundial was placed, having left a hall so that there the workingmen could have their meetings, workingmen of the different works who had come under the flag of this political-mutual-socialist institution.

Nevertheless, immediately after Carranza had entered the City of Mexico, the public began to hear about the disagreement between the first chief and Pablo Gonzales. Quintero and partners, wise enough, understood that until those differences were settled they should not declare themselves either in favor of Carranza or Villa. It was thus that they decided to observe a waiting policy, being this the first time that the Casa del Obrero Mundial was neutral in political questions.

Carranza was dashed from the capital of Mexico and Emilliano Zapata took possession of it. Again the members of the Casa del Obrero Mundial organized a parade with 5,000 persons of both sexes to congratulate Zapata and the "brother" Gomez, a workingman who returned to Mexico City changed into a general. The directors of the Casa del Obrero Mundial arranged with Zapata through "brother" Gomez that they be allowed the use of the same building. This was the only grace which the Villismo and the Zapatismo united granted to the directors of the Casa del Obrero Mundial. They disliked this and patiently waited for Carranza to take again the City of Mexico, which happened a few weeks after. In this instance Quintero and partners entered decidedly into politics by side of Carranza and began to organize two divisions of infantry, which were named "red divisions," promising the workingmen that would become soldiers that their military services were to be reduced only to keep such cities where they would be no danger of fight. The red divisions were entrained to Vera Cruz and from there were sent to fight at El Ebano, where they fought against the soldiers of Gen. Urbina (Thomas). After this Gen. Urbina was chased from the oil region; the red divisions returned to Mexico City, being very angry because they had been deceived. Then, in 1914, Rafael Quintero and Frediwindo Elvira Alonzo were recognized as coronels in the constitutional army and at the same time occupied important positions in the board of directors of the Casa del Obrero Mundial.

When Carranza settled in Mexico City he began to render help of all kinds to his allies of the Casa del Obrero Mundial: To Rafael Quintero, to whom he had already made coronel, granted him a commission of the de facto government in Barcelona, with the object that he would have meetings with the anarchists of that city. The work of Rafael Quintero in Barcelona (Spain) was

noted, because this man, in a workingmen meeting, gave out a speech with such demagogic ideas that the police had to interrupt him and send him to the headquarters accused of disturbing public order. Through the influence of the other Carrancista agents in Spain he was let free; but, nevertheless, he had to suffer several days' arrest and his name was recorded in the prison of the Catalan capital.

Fredilindo Elvira Alonso also was presented with the title of coronel, and, moreover, named particula secretary of Gen. Hirierto Jara, who has been governor of the federal district and at present is the governor of the State of Vera Cruz. A few weeks ago Elvira Alonso was fired of his employment, and is now in jail for his bad handling.

The rest of the members of the Casa del Obrero Mundial were presented with fine shops of different industries, as a prize for their work in favor of the Carrancistas. These shops were the ones intervened by Carranza. To whom it was not given the shop, he was named manager of those that Carranza left for himself or his nearest friends or generals.

Such is the history of the so-called "Casa del Obrero Mundial" of Mexico, who, as it is assured, is in intimate contact with the Casa del Obrero Mundial of the United States.

SAN ANTONIO, TEX., *September, 1916.*

Also the statement of Eloy Armenta will be incorporated in the record at this point.

(The document referred to is as follows:)

The House of the Worker of the World in Mexico was inaugurated in reality the 16th of September, 1910, in Belen prison, because the undersigned organizer, Eloy Armenta, was imprisoned there, to which place he had been sent by the Madero Government. Later, after the House of the Worker was founded and constituted in federations of labor and schools on the rational scientific method, the revolutionary syndicalist method followed by the general federation in France was adopted by the labor groups. The declaration under affirmation was made, by which it was required that no member of the syndicates should take an active part in politics or militarism, the association being defined by the slogan of labor, education, science, and struggle for social transformation. Its first domicile was on Matamoros Street, No. 105, in the City of Mexico, where the association remained till the barrack uprising (cuartelazo), on which date it offered its services to the Neutral Red Cross, and because of a meeting, the organizer—Armenta—was again imprisoned and exiled, together with Miguel and Celestino Porroneguel, Jose Coldao, and Jose Santos Chocano. At the fall of Gen. Huerta, and on his return from exile, a meeting was held for Armenta in the Lyric Theater in Mexico.

The 17th of February, 1915, the House of the Worker of the World, represented by 67 leading members and Zubaran, in representation of Carranza, entered into a compact by virtue of which the convent of Santa Brigida was ceded to them and \$500,000 with which Carranza honored the association, for which later, by acting contrary to its principles, it paid dearly at Celaya and Elcano with the blood of its battalions which in the end gave the victory to Carranza. Later the Houses of the Worker of the World have been persecuted from Yucatan to Tampico and in the City of Mexico itself the house was closed by order of Obregon, and, as a result of this, at the beginning of the current month, Dr. Atl or rather Gerardo Murillo, who officiated as president of the parent association, was imprisoned. There were in the Republic 36 Houses of the Worker of the World, the number of associates reaching 800,000, while 52,000 belonged to Santa Brigida alone.

The affinity that exists between the House of the Worker of the World of Mexico and the W. W. of the United States and the Confederation of Paris is absolute, both in the identity of their constitutions and in the identity of principles and tendencies.

The founder of the House of the Worker of the World, Eloy Armenta, did not sign the compact referred to with Carranza and this caused him to be held 183 days without communication in the dungeons at Vera Cruz until he was deported the second time.

The CHAIRMAN. Do you know the position the officers of the American Federation of Labor took, if any, with reference to this agree-

ment between the Carranza Government and the labor organizations of Mexico?

Mr. GATES. I know of one paper, of which I have a copy in my files, showing Samuel Gompers as congratulating the Casa del Obrero Mundial, as follows:

We learned with intense interest of the historic agreement between the Casa del Obrero Mundial and the constitutionalist government, and signed on behalf of that government by Rafael Zubaran, Capmany.

That is the agreement which was referred to in those newspaper articles I mentioned this morning.

The CHAIRMAN. The letter from which the witness has just read will be printed in the record with his testimony.

(The document referred to is as follows:)

APPEAL TO MEXICAN LABOR.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., May 23, 1916.

SECRETARY,

Casa del Obrero Mundial, City of Mexico.

DEAR SIR AND BROTHER: Permit me on behalf of the American Federation of Labor to send fraternal greetings to the Casa del Obrero Mundial, to the entire labor movement of Mexico.

The labor movement of North America has seen with what splendid courage organized labor in Mexico has, from the time of the late Francisco I. Madero, demanded and obtained recognition for the cause of labor and justice in our sister republic.

From time to time the American Federation of Labor has received confidential reports from delegates duly accredited by your organization and others who come to Washington in behalf of the Mexican cause. From these delegates the executive council of the American Federation of Labor has learned how deeply the spirit of international brotherhood has guided all your struggles in Mexico. We learned with intense interest of the historic agreement between the Casa del Obrero Mundial and the constitutionalist government, and signed on behalf of that government by Rafael Zubaran Capmany.

We have learned with what bravery and determination the Mexican miners in the State of Arizona organized and struck work with their brother Americans of the North, and won advancement for themselves and the cause of international solidarity.

All these facts point to the necessity of a still closer understanding between the workers of all the Americas, particularly in this crisis in the world's history. To this end, and to propose a practical method of mutual cooperation between organized labor in Mexico and the United States, I suggest that at a date to be agreed upon, representatives from the Casa del Obrero Mundial, and as many other of the labor organizations in Mexico as possible, meet for a conference in El Paso, Tex., with representatives of the American Federation of Labor. Matters for the mutual welfare of the sister republic could then be discussed and a future cooperative policy outlined.

With you I agree that the future peace of the world rests in the hands of the wage earners, and this is most cogently expressed by the organized labor movement of each and all countries.

I hope to hear from you as soon as possible as to the actual conditions of the Mexican labor movement at the present time, and to receive a reply to the suggestion I have made herein.

Fraternally, yours,

SAMUEL GOMPERS,
President American Federation of Labor.

Mr. GATES. I just wish to read this brief statement from a document I have:

Before me lies a recent Mexico City newspaper, with photographs of a poster advertising copies for sale of the Russian bolshevist constitution on the walls of the Government buildings in Mexico, and a clerk at the window of the Chamber of Deputies selling copies.

The CHAIRMAN. Mr. Gates, we have referred once or twice to a meeting of the Pan American labor conference at Laredo, Tex., on or about November 13, 1918. I have had handed to me and have before me a copy of a newspaper entitled "Pan American Labor Press, San Antonio, Tex., U. S. A.," with a subtitle in Spanish, "El Obrero Pan Americano," and under it in Spanish, "The Organ of the Pan American Labor Movement." That paper contains in parallel columns an account of the meeting, the speeches, discussions, etc., that took place at that meeting, both in English and in Spanish.

I notice among the proceedings of that convention that there were present Secretary of Labor W. B. Wilson, Mr. Samuel Gompers, Duncan, and various other members of the American Federation of Labor, and labor organizations, including Mr. Murray, the secretary of the Pan American Federation of Labor; that the committee on resolutions made a report, the third article of which provides:

That facilities be granted to Mexican workers which should place them in a position, were they willing, to join the labor organizations in the United States, and that without curtailment of the support and privileges which such organizations allow to their own members.

I notice that the sixth proposition, submitted by the Mexican Federation of Labor, was as follows:

Sixth. That an agreement be reached as to the best way for finding honorable means to exert influence so that justice and protection be imparted to those working men who, for various reasons, are deprived of their liberty in the jails of the United States.

I notice this proposition, offered by the Mexicans, and reported by the committee on resolutions, at once aroused a good deal of discussion. As you are interested in the social conditions of Mexico, and familiar to a great or less extent from your experience and observation of such conditions, and have been interested in the labor question and in the international labor question, with your permission, I am going to read a portion of this discussion pro and con, as it appears here, in connection with your testimony at this time, and see whether you understand that the ideas set forth by the Mexican delegates are those which you understand to be those held by the Mexican labor organizations generally in Mexico.

It appears from the minutes of this meeting that Delegate Green, referring to the sixth proposition submitted by the Mexican Federation of Labor, and who was chairman of the committee on resolutions, said:

Mr. Chairman, regarding the sixth paragraph we recommend that the executive council of the American Federation of Labor make an investigation of the question referred to herein and take such action in connection therewith as they deem necessary.

Now, that at once aroused the delegates, and particularly Mr. Gompers, president of the American Federation of Labor, who was presiding over this Pan American Labor Conference. Mr. Gompers demanding to know what the Mexican delegates meant by proposing that resolution. Various Mexican delegates, and various other delegates, principally Americans, took part in the discussion. Quoting from Mr. Gompers:

For the information of all the delegates, let us know specifically what there is in mind. What is it; what offenses are charged against them; what they are in jail for?

Delegates MORONES. We are not able to give references or mention names, but in as much as the information has come to us, we desire to obtain information for ourselves through the proposed investigation, and thus have the opportunity to rectify the statements made in the propaganda that has been spread throughout Mexico. Also, we would have the pleasure of being the first to obtain the object of justice we seek.

It appears that some of the Mexican delegates supported the Green suggestion, with the amendment that Mexican delegates should be represented upon the investigating committee. The discussion grew warm, when Delegate Quintero, of the House of the World's Workers, Mexico City, said:

I am going to make a frank statement in reference to that proposition to which Comrade Morones has alluded, due to the fact that Mr. Gompers wants us to speak clearly about it. In the mind of the Mexican workmen, as well as those organizations affiliated with the Mexican Federation of Labor, the Federation of Syndicates, and the House of the World's Workers, it is not to prisoners in general that we refer, as suggested by Mr. Gompers, but to the workers who belong to the I. W. W. (the Industrial Workers of the World), who were jailed by the American Government on the charge of having made an active propaganda against the recruiting of soldiers.

It appears that the discussion was continued by Delegate Tobin, of the American Federation of Labor, Delegate Salcedo, of the Mexican Federation of Labor, or rather, of the Mexican Newspaper Workers' Union, and others, during which Delegate Ruiz, Grand Union of the Industrial Workers of the World, Torreon, Coahuila, said:

Mr. Chairman, it is not in my mind to make incriminations in a formal manner in any way whatever against the American Federation of Labor. But we have the information or knowledge in the union at Torreon called the Industrial Workers of the World that the American Federation of Labor in the United States has followed the policy that whatever is not worthy the American Federation of Labor is against it; and, according to our information, it is for that reason that the Industrial Workers of the World are looked upon with the degree of hatred, of dislike that I have spoken about. I say that if the American Federation of Labor is seeking to establish a principle of universal fraternity which would benefit all labor organizations, then the American Federation of Labor should act condescendingly in reference to the methods heretofore employed by the Industrial Workers of the World and not antagonize them in any sense, because if you are talking of democracy within the ranks of the American Federation of Labor they should be left alone to think freely and be permitted to develop their propaganda in the way that they understand it; for it is a contradiction to proclaim liberty and on the other hand gag the free right of speech in another way.

Delegate Alpine, and other Americans, undertook to reassure the Mexican delegates, and to convince them that the American Federation of Labor was really a democratic labor organization, etc. Mr. Gompers finally spoke at some length, calling attention of the Mexican delegates, among other things, to the course of the American Federation of Labor with reference to the Mexican political troubles. Among other things, he said:

At the outset let me say that there is a peculiar notion prevailing among some of the delegates, who seem to think that it is a gracious act on their part to accept the invitation and attend this conference.

The invitation to participate in this conference is the result of years of work of the American Federation of Labor to assist the Mexican people. It had its beginning when there was a revolutionary element among the working people of Mexico against President Diaz, and we supported every effort made by the Mexican workers and the Mexican people for the overthrow of Diaz.

When the Mexican revolutionists found their way into the United States, it was the organized American labor movement that protested against the Government giving up to Diaz the men, the Mexican revolutionists, who were in the

United States, and it was the American labor movement which prevented our Government turning the men over to Diaz, who probably would have had them put in jail or killed.

We were with the movement of Madero so that the people, the working people, of Mexico might have the opportunity of free development. It was the American labor movement that helped to destroy and overthrow the assassin, Huerta. And it was the American Federation of Labor, when Mexico and the United States were at the point of war, that stepped in and did everything within its power to prevent a conflict between the two countries.

Whether in Russia or Ireland, whether in Mexico or in any other country on the face of the globe, wherever the people endeavor to secure freedom and justice, the American Federation of Labor puts forth its best efforts to assist them.

The work of the American Federation of Labor for the people and the working people of Porto Rico has put them in conditions economic, political, and sociological equal if not better than any other people in any Central or Latin-American countries.

Come back for a moment to Mexico. Two years ago when the proclamation was issued by Carranza making it a criminal offense punishable by death for any workman to engage in a strike, it was the American Federation of Labor which compelled the adoption in the Mexican constitution of the right of the workmen of Mexico to strike for their rights.

* * * * *

It is all very good for any one to say, "Why not give these people, the I. W. W., the opportunity to live and work out their own propaganda just as they want to?" But I want to say this to you, my friends, that we have one labor movement, cohesive, militant, and determined, in the United States of America, and because we have one labor movement in America we occupy a position of power and influence to bring a better time into the lives of the working people of our country.

The I. W. W.'s in the United States are exactly what the Bolsheviks are in Russia, and we have seen what the I. W. W. Bolsheviks in Russia have done for the working people in Russia, where the people have no peace, no security, no land, and no bread.

Among other speakers on the proposition, Delegate Green again addressed the conference, and among other things said:

When Bill Haywood, the leader of the I. W. W.'s in America, was on trial at Boise, Idaho, in days gone by, charged with murder, it was not the I. W. W. that furnished him the money that enabled him to prove his innocence, but it was the bona fide organized labor movement of America that gave him money which paid the bill in order to free Bill Haywood. That trial alone cost the organized-labor movement of America hundreds of thousands of dollars. And after Bill Haywood, the leader of the movement, was set free, because of the money supplied by the organized-labor movement in America, he was so ungrateful that he started out to organize a dual movement and destroy the very union which had saved his life.

Practically from the day he was given his liberty—after the organized-labor movement had out of their pockets poured in thousands of dollars in an effort to set him free—he began to develop his plan to sow the seeds of poison in the organized-labor movement and undermine it. Ever since that day he has not let an opportunity go by to attempt to destroy the American Federation of Labor, and the results of the poison he has sown are shown in the attitude that some of you have taken here.

Mr. Gates, it appears from the proceedings as published of this labor conference that Mr. Gompers very vigorously opposed any sympathy with the I. W. W. in the United States, and attacked the organization in this country, and that many of those Mexican delegates, and particularly Quintero, apparently entertained the belief that Mr. Gompers's opposition was to the I. W. W. as a rival organization of the American Federation of Labor. The resolution apparently was not voted upon, but was referred to the executive committee after a lengthy discussion.

From the statements made by Mr. Gompers as to the participation of his organization in Mexican political affairs, and from the trend of that controversy at Laredo, and the expressions of the different delegates, and from what you know yourself personally of labor conditions and of the peculiar characteristics of the inhabitants of Mexico—or at least of 80 per cent, constituting the working class of Mexico—in your opinion, does Mr. Gompers or does the American Federation of Labor really understand the Mexican labor condition, and, in your opinion, can the ordinary Mexican laborer, member of the Casa del Obrero Mundial and allied kindred organizations, appreciate and understand the principles of trade-unionism as practiced by the trade-unionists of the United States?

Mr. GATES. No, to both questions.

The CHAIRMAN. Then, when the Mexican workingman, or Indian, or half-breed citizen, ordinarily known as the Mexican, has preached to him doctrines of freedom and equality, and hears criticisms and abuse of the employers, is it your judgment that the impression made upon him is that he shall obtain relief through peaceful means—by the ballot, by organization, by the strike, or by other methods common to the intelligent workingmen in other portions of the world—or that he should adopt other means to attain his ends; and if so, what means?

Mr. GATES. The only means they know of down there is a revolt, when conditions have become intolerable.

The CHAIRMAN. What do you mean by "revolt"?

Mr. GATES. By arms and by force, to take the gun. I recently attended a lecture at which the lecturer used a phrase that sunk in my mind, and which I think answers your question. He showed on the screen a picture of the places in Mexico City where the poor people, especially the Indians, herded and lived, and said, "If a man came to you, living there, and he said, 'Come, get liberty,' would you not go and fight, if only for a chance to hope?"

The CHAIRMAN. Does liberty, as spoken of by these people, mean liberty as we understand it, or does it mean individual license to do what you please?

Mr. GATES. As used by these propagandists, in every case, license to do as they please. As understood by the Indian, or the ordinary worker, it means the liberty to have his own little home and be let alone; but to those who prey upon him it means a chance to loot, and shoot and rape.

The CHAIRMAN. Then, granting, as we all grant, the sincerity and purity of the motives of Mr. Gompers, in interfering, as he says that he has interfered, with the political affairs of Mexico, in your judgment, has that interference, with the results which he has mentioned in this speech to the labor conference, has such effort and such interference upon his behalf resulted beneficially or injuriously to the common people of Mexico?

Mr. GATES. They have resulted injuriously to the common man in Mexico, and the health of Mexicans themselves, equally as has the interference which has been going on by President Wilson for the past eight years, against which Mexico has been fighting—ignorant interference in the affairs of other people and telling them how to

The CHAIRMAN. In view of the statement that Mr. Gompers made that the American Federation of Labor secured or forced the incorporation into the Mexican Constitution of the provision allowing strikes, have you had your attention called to the strike order of Carranza to which he referred?

Mr. GATES. I have.

The CHAIRMAN. Have you a copy of that order before you?

Mr. GATES. I have.

The CHAIRMAN. That may be placed in the record at this point, as a part of the testimony.

(The document referred to is as follows:)

CARRANZA'S DECREE OF DEATH TO BREAK UP STRIKE.

AUGUST 1, 1916.

Venustiano Carranza, first chief of the constitutionalist army, charged with the executive power of the nation, and in view of the extraordinary faculties in me vested, and considering that the conduct of the labor syndicates in the present case constitutes without doubt an attack on public peace, for, as it has been shown, it is inspired by the enemies of the Government with the intent and purpose of making it impossible to avail itself of its own resources so much needed for the pacification and reestablishment of order in the country, and discriminating against the constitutionalist paper, depriving it of the value fixed upon it by law, and as it could happen that the law of January 25, 1862, should not cover other cases and persons besides the principal promoters of the present strike, it is indispensable to widen the scope of the said law and make it applicable to cases which surely would have been covered by it had this means of disturbing the public peace and antagonizing the government been known at the time it was issued.

In view of the foregoing, I have decreed the following:

Article 1. Besides the disturbers of the public peace, punished by death, as prescribed by the law of January 25, 1862, the death penalty will also be imposed on the following:

1. Those who may incite the suspension of work in factories or enterprises destined to public service, or who may propagate the suspension of work; those who preside over meeting in which it is proposed, discussed or approved; those who may defend or sustain same; those who may approve or subscribe same; those who may assist to those meetings and not withdraw from same upon learning their object; and those who may endeavor to make it effective upon being declared;

2. Those who, availing themselves of the suspension of work in factories or enterprises mentioned, or in any others, or with the object of aggravating or imposing it, should destroy the property of the enterprises employing the workmen interested in the strike or in any manner cause its deterioration, or deteriorate or destroy the property of any enterprise whose workmen it is desired should join the strike; and those who with the same object in view provoke public disturbances, be it against public employees or civilians, or employ force against the person or property of citizens, or who may take possession of, deteriorate, or destroy public or private property; and

3. Those who by threats or force prevent others from lending their services to the companies or enterprises against which the strike is declared.

Article 2. The offense to which this law refers will be of the competence of the same military authority authorized to judge and punish offenses prescribed by the law of January 25, 1862, and will be prosecuted and punished in the same terms and proceedings as prescribed by decree No. 14 of the 12th of December, 1913.

I, therefore, order it printed, published, and circulated for its due observance. Issued at the City of Mexico, on the 1st day of August, 1916.

V. CARRANZA.

Mr. GATES. In addition to that I will say I heard in Yucatan—I did not believe it until it was demonstrated to me beyond a doubt—that Alvarado had issued a similar decree in the preconstitutional period

that anyone who talked against his agrarian legislation should be shot. And Yucatan is the most peaceful part of the world. The Yucatacans are noted for their smiling peacefulness. They are always smiling.

The CHAIRMAN. The statement contained in Mr. Gompers's speech and in various articles which he has published as to the success of his efforts with reference to the Madero revolution, and also his statement that the American Federation of Labor embraces all the great labor organizations of the United States, except the four railroad organizations, suggests to me another question which I desire to ask you.

Do you know what became of the American railroad men employed on all of the railroad lines in Mexico prior to the incoming of the Madero administration?

Mr. GATES. I have at various times heard, and I have seen some papers, and I have here some papers, reports of railroad men there, of which I had already heard, of a systematic discrimination against the American workers upon the railroads of Mexico, which, if my memory and information is correct, resulted in their having to leave practically en masse.

The CHAIRMAN. What paper do you refer to? Have you there a report of any of the officers of the railroad organizations operating in Mexico?

Mr. GATES. That is what these are. They are engineers and conductors and members of the railroad organizations. One was the Order of Railway Conductors.

The CHAIRMAN. I notice one signed by W. K. Suit, chief conductor.

Mr. GATES. Yes, sir.

The CHAIRMAN. That will be placed in the record at this point. (The document referred to is as follows:)

[The Railway Conductor, Vol. XXIX, pp. 444-445.]

GUADALAJARA, MEXICO, April 18, 1912.

To the officers and members, Division 564, O. R. C.

BROTHERS: It is with profound regret that it has become my duty to announce to you the necessity of surrendering the charter of our division. However painful it may be, it would be more so if I could look back over the events that have transpired in the last two years with an impartial eye and see where it was due to our failure in doing our duty either as conductors in railroad service or to a lack of loyalty to the Order of Railway Conductors. The discontinuation of the division is due to the never-ceasing agitation of the unreliable railroad element among the Mexicans that never has and never will do good service.

This same class of people has succeeded in ruining the only effective government that Mexico has ever had, and they are now engaged in destroying the business institutions that have been built up by foreign talent and money during the last 30 years of peace and prosperity.

They have also taken advantage of the weak and tottering government at a time when they have not the strength to resist and have captured the greatest business institution in Mexico and will proceed to wreck it as they have the Government.

We did not lose our positions because we are making demands that are unreasonable. We have lost them because the railroad management, working under the support of the Government, has annulled the agreement for the purpose of forcing us out of the service, as they see it, a few at a time, so that it will not cripple the service, and at the same time knowing that they have us at their mercy.

I am proud to know that each and every one of you are not only true Americans, but that you are loyal O. R. C. brothers, and that all of you have responded to the demand for justice.

Our experience in Mexico and the history of the Texas colony under Mexican rule has taught us that the moment he becomes your master he sets himself upon a royal throne and expects you to worship him, and if you dare to resent his rule you make of him a lifelong enemy, and from that time on you are never free from his treachery, and for that reason you have chosen to go down in defeat, fighting like the brave defenders of the Alamo, rather than to submit to a brutal ruler and be slaughtered like the Texans at Goliad.

We may be defeated in one sense of the word, but by the fight you have made you have saved your pride and dignity and have assisted in creating a sentiment in the civilized world that will some day bring results.

By the assistance of the O. R. C. the undesirable railroad man has been removed from Mexico and the company is now losing the best men that have ever worked in Mexico, and from the various tests of diplomacy, judgment, and nerve to which you have been subjected in the past 18 months, I feel free in saying that you stand head and shoulders above any public servants in the world to-day. Like the captain of a ship, a conductor's first duty is the care and protection of his passengers.

The Madero rebellion broke out in Mexico about the time the sentiment against the Americans was so strong, partly on account of the rapist, Rodriguez, who was lynched in Texas, and partly because the Americans had the best railroad jobs. In addition to this sentiment against us, we came in contact with both of the bitter factions and were often asked by both parties to express our opinions regarding the situation. We saw the rough element gradually get bolder; we saw thieves and pickpockets, who had been in prison, reappear and begin their bold work; we saw the army and the local authorities lose control of the people; we saw the small bands collect and move about, as we passed through the country. In fact, by virtue of our position, we held the pulse of the nation in our hands, and when we realized that the peon mobs could be called nothing but bloodthirsty savages, we all made up our minds, for the protection of the women and children, not to allow any soldiers to ride on passenger trains through the dangerous territory, where the rebels were likely to hold the trains up, knowing that if they saw soldiers they would not hesitate to shoot into the trains and kill everybody in sight in an effort to kill a few loyal soldiers.

By this method, you have made enemies of one faction, while your motives were not understood by others. Many trains were delayed, and in some cases you have refused to go into the danger zone and tie up trains, until you were sure that the line was safe for your passengers. Some of you were subjected to the vile abuse by army officers, and threatened to be placed in irons. Other people openly asked the question, "Are you in sympathy with Madero and the rebellion?" "Are you openly taking part in the fight to overthrow the government?" While others boldly asserted that you should be shot down on the spot. But with all the intimidations, not one of you retreated from the stand you had taken, which showed your rare judgment and nerve to back it up, and after mature reflection the traveling public, which represents most all of the nations of the earth, realized that you were right, and that you did not do this through sympathy with any faction, but to protect your passengers, and they indorsed your actions. Although some of you were ordered taken out of service by the government, not one of you lost your positions.

Neither the railroad company nor the public can afford to lose such servants as you are, but just and right can not prevail under existing circumstances. The American tourist, who formerly found a courteous guide on every passenger train, in the form of an American conductor, will now spend his vacation in some other part of the world, realizing that he would be among people who do not know how to appreciate him, and the hundreds of poor beggars who gathered up the pennies freely given by Americans in days gone by will go hungry to bed in the future.

The United States of America, by the Monroe doctrine, assisted by sending an American Army to the Rio Grande in 1865, handed Mexico her liberty on a silver platter and has protected her ever since. Our reward is now being received in the form of about nine-tenths of our citizens fleeing from the country under humiliating circumstances to save their lives, while others are being shot down like mad dogs by a lot of savages whose brains are pickled in alcohol and their nerves wrecked by immoral living, and who, convinced

that they can not compete with honest business men in respectable pursuits of life, have turned loose to lay the country to waste in their own natural way. Every American who has been in touch with the situation, and every citizen of other civilized countries, sees the necessity of adding the "big stick" to the Monroe doctrine, and the only question is, "When will it be done?"

Every voter of the hundred thousand conductors and engineers in the United States of America should see that this question is put to the candidates for President of the United States in the campaign which has opened here, and not let them get away from it until they have fully expressed their opinions in public on the question.

I can not refrain from expressing my special appreciation of the never-tiring efforts of our secretary, Brother A. W. Earnest, for his work for the good of the order, and especially in behalf of Brother James A Cook while he was in prison at Guadalupe, partly due to the same influence of the same element that is destroying the country in an effort to humiliate the American railroad men and drive them from the Republic. Also Brother D. A. Kelly, our local chairman of the grievance committee, who has had to fight on every inch of ground he has covered for many months, and has proven a true and loyal brother and a first-class grievance man in every respect. Also our general chairman, Brother T. Eccles, of whom I can say that in all of my 23 years of railroading I have never known a brother to have to face so many complicated and humiliating questions. Nor have I ever seen a man handle them as successfully as Brother Eccles has done.

But there is a limit to all things, and we have arrived at the limit of our endurance and forbearance in Mexico, and may God be with you all, and deliver you to the other side of the Rio Grande in safety.

I thank you all for the support and respect you have shown me in my efforts to serve the order and the brothers.

Yours, in P. F.

W. K. SUIT, *Chief Conductor.*

Mr. GATES. And there is also a resolution at a special meeting, thanking Brother Suit for his "untiring efforts in our behalf, and in particular for his letter announcing the necessity of disbanding the division."

The CHAIRMAN. That is the Guadalupe local I presume?

Mr. GATES. That is the Guadalupe local.

And here is another letter from Laredo, Tex., signed by Corrigan and Curtis.

The CHAIRMAN. That appears to be an address to the American people.

Mr. GATES. It is.

The CHAIRMAN. Corrigan is an official of the Brotherhood of Locomotive Engineers, and Curtis is vice president of the Order of Railway Conductors. Those documents, the resolution you referred to, and this address to the American people may go in the record at this point.

(The documents referred to are as follows:)

THE RAILWAY CONDUCTOR.

[P. 443, Vol. XXIX.]

GUADALAJARA, MEXICO.

The following is from the minutes of a special meeting held April 18, 1912: "Moved and seconded that a vote of thanks be extended our chief conductor, Brother W. K. Suit, for his untiring efforts in our behalf, and in particular for his letter announcing the necessity of disbanding the division, giving an outline of the situation in this country, and that a copy of this letter be sent to each member of the division and to the Railway Conductor. Carried unanimously.

Yours, truly, in P. F.,

A. W. EARNEST,
Secretary Division 540.

ENGINEERS AND CONDUCTORS RETIRE FROM SERVICE OF THE MEXICAN NATIONAL RAILROAD.

[From *Locomotive Engineers' Journal*, Vol. XLVI, 1912, p. 599.]

LAREDO, TEX., April 17, 1912.

To the American public:

Believing that the American people are interested and that they have a right to know the facts in connection with the forced withdrawal from the service of the National Railways of Mexico of several hundred American citizens who have for many years been employed by these railways as engineers and conductors, we submit the following statement covering the situation: We are prompted to do so because we feel that the flagrant discrimination by the Mexican Government against American citizens is deserving of consideration at the hands of the American people.

It is well known that when American capital was invited to Mexico to develop that country through railroad building, it was necessary to secure from the United States, or some other foreign country, experienced men to operate the railways owing to the fact that the native citizens were totally incapable of doing so. The engineers and conductors were generally secured in the United States, and went to Mexico under assurances of fair treatment as to wages and conditions of employment, which were set forth in contract stipulations between the management of the railways and committees representing these employees. This arrangement operated to the mutual satisfaction of all concerned, and no serious controversy arose between the railways and the organizations of engineers and conductors until the Mexican Government secured control of the greater part of the railway mileage of Mexico; but since that time there has been carried on a deliberate and sustained system of discrimination against American engineers and conductors, the sole purpose of which was to force American employees out of the service without regard to the fact that many of them have worked faithfully for these railways for from 20 to 30 years, having left the United States in the prime of manhood when there were practically no Mexican citizens capable of performing the duties of engineers and conductors.

These men have given the best years of their lives to the service of the Mexican railways, as well as giving the benefit of their knowledge and experience to the Mexican people, and now, upon the demand of certain labor organizations of native sons, who have taken for their slogan "Mexico for Mexicans" and who covet the positions that have been filled so long and efficiently by the Americans, the Mexican Government basely ungrateful of the services rendered by the Americans, has issued instructions through its secretary of communications abrogating the agreements between the railways and the American employees, and imposing conditions upon said employees impossible of fulfillment.

A word here as to ownership of the railway properties involved may be of interest: Out of a capitalization of nearly \$450,000,000 the Mexican Government has only put into the properties in actual cash approximately \$4,500,000. It is true that in exchange for \$49,400, more than one-half of the \$230,000,000 authorized stock, the Government guarantees the principal and interest on certain outstanding bonds. While this deal gave the Mexican Government control of the railways involved, under certain unknown contract limitations, it did not make said railways exclusive Government institutions to the extent of justifying the clamor of Mexican citizens that none but Mexicans were entitled to employment thereon.

We quote below from the declaration of principles of one of the native Mexican organizations to show that the fact of being an American would prohibit one from continuing in the employment of the Mexican railways:

"Society of the Defenders of the Rights of Mexican Railroad Men. Slogan, Mexico for Mexicans. The Mexicanization of the national railways has become an imperious necessity and should be done, not only by placing Mexicans in positions as firemen, brakemen, engineers, conductors, and dispatchers, but by elevating them to the high positions of administration, making them general agents, general superintendents of divisions, motive power, etc. The society has been projected with the sole object of forcing off, and carrying into effect, the Mexicanization of the Mexican railways, etc."

In addition to the above there is abundant evidence to show that the purpose of the Mexican organizations, supported by the Mexican Government,

is to eliminate American employees from the service of Mexican railways. It is estimated that there are something like 600 American engineers and conductors in the service of these railways, and these men were forced to retire upon dictation of the native labor organizations of Mexico, supported by the Government, in the face of the fact that, as shown by the preliminary report of the thirteenth census, there are in the State of Texas alone 123,817 native-born Mexicans enjoying freedom of employment in accordance with their capacity, and suffering from no discrimination on account of their nationality from either the Government of the United States, American employers, or organizations of employees.

In view of the determined attitude of the Mexican Government to displace Americans, and after having exhausted every possible means of securing such terms as would guarantee fair and just treatment, the American engineers and conductors decided to withdraw from the service of the National Railways in a body instead of suffering themselves to be displaced in small numbers at a time at the convenience of the authorities, and in the meantime not only place their lives in jeopardy, but be subject to humiliation and insult at the hands of Mexican employees and organizations coveting their positions and desiring their hasty departure.

We have every reason to believe that our Government has not only been fully advised as to the foregoing, but that it has, through diplomatic channels, made representations to the Mexican Government in our behalf, for which we are duly grateful; and in common with thousands of our countrymen, who have been forced out of Mexico, leaving millions in property behind them on account of dangers due to the strong anti-American feeling existing there, we submit our wrongs to such further consideration as may be proper for our Government to give them.

E. CORRIGAN, A. G. C. E. B. of L. E.
E. P. CURTIS, V. P., O. R. C.

The CHAIRMAN. Did you ever hear of the American Federation of Labor interesting themselves in behalf of these American railroad men who were run out under the Madero administration?

Mr. GATES. They may have done so, but I have not heard of it.

The CHAIRMAN. Then, I presume, that is one of your reasons for thinking that possibly the American Federation of Labor does not understand labor conditions in Mexico?

Mr. GATES. Part of them.

The CHAIRMAN. The committee has had the testimony of Charles A. Gardner, taken at San Antonio, Tex., one of the railroad men driven out of that country, so we will not pursue that line further.

Now, Mr. Gates, from your knowledge of Mexico and Mexican conditions, I want to ask you, in your opinion, with reference to the great majority of the common people of Mexico, a large per cent of the total number of people inhabiting that country, Indians, or so-called Mexicans, constituting possibly 85 per cent, what is the feeling among those people generally, the Zapatistas, with whom you are familiar, the Zapotecs, in Tehuantepec, the Yucatecans, the followers of Meixueiro, of Pelacz, and even those who have acquiesced in the Carranza régime, with reference to America and to the United States?

Mr. GATES. I found nothing but friendship and a desire for American cooperation on all sides throughout my entire trip throughout the country, except with those small bodies of people constituting the present official Carranza military dictatorship and those who are profiting by it. That is, that Pan-Latin, one big union, bolshevist aggregation of which we have been talking, represented by Carranza's desire to put the Saxon in his place, hatred of the American, to drive us out, and Alvarado's desire to erect a syndicalistic State.

The rest are very friendly to the United States and welcome our cooperation, although patriotic in desiring to retain the sovereignty of their own country.

The CHAIRMAN. Are you or not in favor of armed intervention by the United States in Mexican affairs?

Mr. GATES. I have stated myself to be as pronounced an anti-interventionist in that sense as you will find in the United States. I wouldn't consider that, after having wrecked Mexico with eight years of political interference, with maintaining in power a dictator whose personal reaction was the same as that of our present incumbent, who has been maintained in power solely by his will, against the will of the Mexican people, who have been fighting for their own homes, during which time Mexico has been reduced to misery; if we take advantage of that situation, if the result is what it seems to me the necessary end to which it would tend, and enter upon an invasion, an armed intervention into Mexican affairs, it would be a stain upon our American honor that we would never have an opportunity to explain away, and would support those people in the belief which they hold of this Government that, especially in the later years, in the past eight years, its policy has been Machiavellian. I wish to put that as clearly and plainly as I can put it. It has been my policy and belief throughout the whole. I found it all through Mexico.

The CHAIRMAN. Suppose there is no friendly interference, or interference of any other character by this government, in some way in Mexican affairs, what will be the immediate future of Mexico, in your judgment?

Mr. GATES. In my judgment, the present break up of Carranza is the breaking up of exploiting among themselves. I would anticipate—no man can prophesy—but from the events of the day, I would anticipate the early triumph of some of the leaders, apparently at present Obregon; within a year or so, dissension; then continuing quarrels; finally, if that continues from now until next year some time, assuming that President Wilson chooses to take no step at all, which it must be assumed he will not do after his message to you thanking you for the opportunity to tell you that foreign affairs are none of the Senate's business, that Mexico for the rest of this year will know a depth of degradation to which the past 10 years would look like heaven. That is what I look for.

The CHAIRMAN. I thank you very much for your interesting and intelligent testimony, and your enlightening statement and assistance which you have given to the committee.

Mr. GATES. May I say that what we need with Mexico is Mexican sympathy. They can receive us with open arms there. They need our help. If we tender it to them in the right way it can be given, and we can have a certain friendly interest in our neighbors at our side. But she does need our help, and all the more she needs it because officially she has been put where she is. I regard that as imposing upon us the responsibility. We should have a sympathetic understanding of her needs. She not only needs a great big loan to finance a receivership, but she needs reclamation, she needs restoration of industry, and above all, at the bottom and beginning the end of the whole, is the enabling of the common man in Mexico, which

largely means the Indian, to have a little something to hope for and at home he is not afraid he is going to be robbed of. When there can come to us anybody out of the present chaos, if any opportunity should come out of that chaos, for the decent element with whom we might work, we might still save the situation and our honor; but we must do it with sympathy and with kindness.

The CHAIRMAN. Do you think that mere sympathy and understanding, without actual assistance, will avail anything in Mexico?

Mr. GATES. No. It means going down there and taking off our coats and helping them economically; and also backing up in some way—that is difficult to say, because it looks like interfering—but backing up in some way, such as is proper, international relationship, a stable currency, and decent government.

The CHAIRMAN. Will mere recognition of such a government by the United States avail anything?

Mr. GATES. If the recognition of the United States amounts to anything at present, flouted, as it has been, in all Latin-America; if we can get our recognition respected it would go a long ways, but it has not been respected since Bryan became our Secretary of State. We must back-track on that before our influence amounts to anything, and when we back-track then we can restore health.

The CHAIRMAN. Would you extend help to Mexico merely by recognition and leave her to secure financial aid from individuals in this country, or would you extend that financial aid directly by this Government to a government which would receive it in the proper spirit?

Mr. GATES. I would give it by this Government if it was received with the proper spirit. My views upon that are represented by the document that I attached to my letter to Secretary Baker. They involve a rehabilitation of Mexico, and how it could be done without putting her into a receivership or giving her a political dictatorship. I hoped that the opportunity might come, if President Wilson would come to the position of recognizing Carranza as impossible, that something be done, and consequently I made these suggestions in my correspondence with Secretary Baker. I had the cooperation of a good many people in that, and it is not political and not a financial receivership.

The CHAIRMAN. Those suggestions are in those documents?

Mr. GATES. Yes. I believe it could be done along those lines.

The CHAIRMAN. The committee is very much obliged to you, Mr. Gates. The committee will adjourn, subject to the call of the chairman.

EXHIBIT 4.

To the President and the people of the United States of America, our neighboring Republic:

In this hour of crisis, when it is held in the balance of the fates whether our country shall live as an independent sovereign nation, we make you this appeal:

For over six years our country has been torn by civil strife; for five of those six years a large part of its territory has been the prey of the most cruel and brutal tyranny our country has had to endure in all the past century of its efforts toward freedom.

In 1914, after the overthrow of Huerta, Venustiano Carranza, as first chief of the army, named "Constitutionalist" because the object whereby it sought

the cooperation of the whole country, was the restoration of the constitutional order broken by usurpation, with the return to a lawful régime under that constitution which cost so many lives and so many years of struggle before it came into being as the Palladium of our Liberties—Venustiano Carranza, we say, was then offered the support of the country, tendering him the provisional presidency, and calling upon him for the immediate convocation of national elections, and the submission to the coming Congress and the several States, in due and constitutional form, of whatever legislative reforms the condition of the country demanded.

Refusing everything but the provisional presidency, which he promptly expanded by his own sole autocratic decree into omnipotent powers, legislative and judicial as well as executive, Venustiano Carranza made himself the actual irresponsible dictator of Mexico, to a degree that is paralleled by no previous instance in our entire history.

Annuling by a stroke of his pen that constitution he had sworn to defend and restore, he proclaimed a "new thing" in the affairs of States—a "pre-constitutional period," wherein by the power of the sword and bullet alone, in a country of peaceful citizens deprived by his decree of even the smallest weapon of self-defense against the "banditry" he claimed to be resisting, he and his adherents set out to fasten laws and regulations violative of every sort of justice and right, for the sole profit and enrichment of his civil and military supporters. With the most unbelievable shamelessness, in a so-called democracy, a so-called government for the benefit and protection of the "oppressed," decrees were issued depriving all save his own supporters of even the semblance of the right of suffrage. Elections through his whole period, in those few cases where they have been ostentatiously held, have been the veriest farce.

At the end of 1914 and the beginning of 1915, while still holding only a part of the national territory, and himself remaining in Vera Cruz, he and his adherents consummated an offensive and defensive alliance, by formal signed treaties, with that organization of international opposition to democratic and free institutions by the support of the majority, known now in various countries as Bolsheviks, Syndicalists, Spartacides, I. W. W., and, among us, the Casa del Obrero Mundial.

At the same period, Carranza, guided by his personal feelings against the allied nations, entered into relations with Germany; and with the German minister came German emissaries preaching then, four years ago, all the radical antisocial doctrines of the extreme Left to-day, just as two years later similar German emissaries carried the same doctrines of antidemocracy and destruction to Russia.

Throughout the entire period of the Great War, Venustiano Carranza, with his circle of adherents, Salvador Alvarado, Pablo Gonzales, Alvaro Obregon, Luis Cabrera, Candido Aguilar, and many others, made a mockery of Mexico's pretended neutrality, gave all possible aid and comfort to the German side, and promised full future alliances, military and commercial, thus compromising the honor and safety of the country, and the peace of the Western World, in his insane and despotic plans.

The diplomatic record of the past years has been one to bring shame to the face of every Mexican who cares for his country's international repute; and these long-continued and scarcely veiled insults are continuing to this day. All this relying upon the unwillingness of the American Government to resent such provocations by an attack upon a weaker nation at her border, already exhausted by the struggles of these years.

During these six years our country has been reduced to the lowest abyss of misery; nowhere in territory which can be reached by the armed hands of Carrancistas, masquerading as "bandits" or as "Constitutionalists" in turn, is life or honor or property safe. Production and all the course of business is almost at a standstill; our railroads do not run, save on a few lines, where all the remaining equipment is concentrated. With a budget nearly twice that of the nation 10 years ago, two-thirds of the revenues go into the maintenance of this army of depredation, the great part of the whole passing by padded pay rolls into the pockets of the higher officers; while throughout the whole country, wherever the control of Carrancismo reaches, to live by license has become the normal mode. We are facing years or decades to remoralize and make sane the general order, and bring about again the habits of peace and order in life.

Our school-teachers are reduced to actual starvation, being kept for months without even the pittance assigned them for their part in the social work, the life of the future State; while for everyone in the protected circle of military

and civil authorities, there is the most complete immunity for any possible form of crime against person or property. The mere catalog of the unpunished crimes openly committed by the high and low officials and officers, from burglary, highway robbery, murder, and attacks upon women to "banditry" and the most shameless graft and looting of the public treasury, would fill a volume. The resources of the country are stripped bare.

At this time also, following a long period of illegal and despotic confiscations of foreign-owned properties, formerly in production to the enrichment of our country, the violation of treaty-guaranteed rights of those who had been invited by the credit and faith of the Nation to cast their lot among us for residence or business, and the murder of many hundreds of foreign citizens, we are oppressed by an accentuation of all these conditions that threatens the very life of the Nation, destroyed by its self-constituted masters.

The so-called Government of Carranza does not control more than a fraction of the territory of the country. With control of the main ports and the railway lines and equipment, and thus controlling the wires and the mails, it is able to make a show of administration through the Republic. Along these lines, and the towns and cities held in this way, the rule is that of armed soldiery in an unarmed and defenseless populace—the rule of terror.

Away from these railroad lines, and where the Carranza soldiers can not pass save in major force, Mexicans of every rank have united for their own protection and that of their homes and laws, under different leaders. Such organized protecting and defensive bodies of citizen soldiery have maintained themselves intact through these years of trial; and though with scanty resources, with no help or support from abroad, or any ability, owing to international neutrality laws, to bring in any form of supplies—for which, indeed, they have lacked and do still lack the resources for payment—these bodies do now control and protect the greater part of the national territory.

In the latter months of 1914, when Venustiano Carranza refused the proffered support of the entire nation for a restoration at once of the constitutional order, and finding himself outnumbered in the convention of his own calling, retired to Vera Cruz to proclaim himself sole dictator and legislator for the Mexican people, with his syndicalist and German allies, he was disavowed by Emiliano Zapata and Francisco Villa, with their supporters in the south and in the north. Although Carranza was enabled some months later to take the capital, and then supported by the main arteries of import and the resources of the country was able to extend his régime of destruction, military oppression and robbery through the Republic, these two forces have maintained themselves unconquered through the ensuing five years, to the present.

In July, 1915, aroused to her own self-defense against these attacks upon law and life, and by the usurpation effected in the proclamation of the "preconstitutional period," the free and sovereign State of Oaxaca reassumed her sovereignty under the constitution, until order and the constitutional régime could be again established in the nation. From that time until the present this State has continued in the lawful and constitutional administration of the greater part of her territory, under the lawful State authorities, duly and constitutionally elected in December, 1914; and by the aid and services, and the lives, of her sons, has defended herself and them.

In 1916, for the purpose of ending this era of usurpation, and of fulfilling the obligation resting on all Mexicans to sustain and restore the constitution, which by its specific terms proclaims that it shall not lose validity by reason of any rebellion or usurpation, there was organized the "National Reorganizing Army" under the leadership of Gen. Felix Díaz, as the effective outcome of protests voiced by him since 1914; and in the last three and a half years this force has extended its effective protection through different States of the Republic.

Some time before the rural population of the northeastern parts of the Republic, attacked by the Carrancista despoilers in their most essential rights, took arms to defend them and to restore law and order, placing Manuel Peláez as commander in chief of the National Guards; upon the attempt of the illegal Querétaro Assembly to impose a new constitution on the country, these guards were reorganized as the "revolutionary army," to support and reinstate the national constitution of 1857; at the same period, in the trying times of the Great War, when the fates there hung in the balance, and the weights in that balance were the supplies of oil without which the allied navies would have been powerless, and when for a time there was but a few weeks' supply of this fuel on hand, the Carranza soldiers, aided by German-paid agitators, were seeking

to capture and destroy the wells on which that supply depended—these forces, under Manuel Peláez, firm in the defense of the rights made sacred by the constitution of 1857, and faithful to the cause of democracy and freedom in the world, protected, and still do protect, life and property in the Tampico and adjoining regions.

To-day the truth has come to light; and to-day Venustiano Carranza, your enemy, as he and his circle of officials are ours, is threatening to draw upon us the natural result of his and their crimes. We are about to be made to suffer for the crimes of those who have murdered our fellows. We—all Mexicans—are being cried against for the deeds of our oppressors. Mexico is about to be called and treated as the enemy of your great democracy on account of the deeds we have now for five years resisted with our blood, committed by those few evil men who by their intrenched position have been enabled to do all these things. Carranza and the entire circle of his supporters without one single exception, have betrayed you and your placed trust and hopes as he did us and the support we gave him at that time.

We are fighting for our liberties and our homes. The war in Mexico will never cease until that fight is gained. It can not cease. And confident thus in the truth which is now in its full time coming to the light, we appeal to you, the President of the United States, and to you, the people of those United States, to give us that measure of relief and recognition to which we are entitled.

You, Mr. President, we ask to grant us that recognition which is the bounden right of all who fight for their homes, their liberties, and their laws. We ask that we may be heard; that we may have a standing from which to speak and plead the cause of oppressed Mexico and her children.

In order to establish this right and in order that there shall not come that invasion of Mexico which we know is as far from your desires as it would be destructive of all our hopes and aspirations as free men, we will participate in a conference of all the leading organized elements now dividing the control of the territory of the Mexican Republic; that at this conference shall be considered the reconstruction and restoration to national health of the country that is ours and for which we and our fathers have fought. We ask that in this way the great principles for which the peoples of the Western Hemisphere have declared themselves—the principles of democracy, self-government, the right of every individual to life, liberty, and the pursuit of happiness—shall be once more established and that your country and ours may go on as sister Republics, different in inheritance and blood, yet united by bonds of friendship and co-operation and with those common objects brought to birth for France in 1789, for you in 1776, and for us in 1810 and in 1857.

Toward this end we, the signers hereto, for ourselves and all those we represent, and those who have intrusted to us their defense, pledge to you hereby our united cooperation in the protection of life and property throughout the territory of the Mexican Federation. We pledge ourselves to unite in the formation of a provisional administration upon a coalition basis of the liberal elements—those elements that seek true democracy and the welfare of the Nation, to its lowest and humblest citizens, instead of personal power and authority or personal aggrandizement.

For this great work of reconstruction of our distracted and desolated country, now in a like condition with so many other countries in the world, help in resources and cooperation must be had. International problems must be met and solved; rights must be adjusted and protected; the work of rehabilitation itself must be protected, especially in its earlier stages. To this end we frankly ask your aid, without humility or the derogation of self-respect; for we have suffered at the hands of oppressors, and we are economically destitute; we have no resources left, save our love for our country and our self-respect as men and Mexicans. But our country is rich in herself, and by our work, once started on the road, can rebuild all. You, the American Nation, almost alone now among the peoples of the earth, are economically undestroyed after the efforts of the past years. We believe that a way can be found whereby you will gladly give, and we can honorably enter into cooperation to that end, to your great advantage as to that of our country, and yet neither violative of Mexico's independent political self-determination nor submitting her to a conscienceless or usurious financial control.

This we believe of you, Mr. President, and we also believe it of the heart of the American people.

To you, therefore, we address this appeal, in this critical hour of our country and in the affairs of the world.

For the "liberating" of the south and its general in command (first by appointment by Gen. Emiliano Zapata, and since the latter's death, by ratification of the officers and men):

[SEAL.]

GILBERTO MAGAÑA,
By J. AMEZCUA.

For the free and sovereign State of Oaxaca, in resumption under the constitution of its independent sovereignty, until the rule of that constitution shall be again recognized throughout the Republic, and for the general in command of the defensive forces of the State.

[SEAL.]

GUILLERMO MEXUEIRO,
By WILLIAM GATES,
SAMUEL G. MEXUEIRO.

"Constitution of 1857," the revolutionary army in control of the northeast of the Republic, general in command.

[SEAL.]

MANUEL PELÁEZ,
By Dr. MOISES LÓPEZ.

Commander in chief of the "national reorganizing army."

[SEAL.]

GEN. FÉLIX DÍAZ,
By PEDRO DEL VILLAR.

Memorandum (not a copy of the original document): The foregoing was prepared in triplicate, for convenience and saving of time in the attachment of the signatures. No primacy among the signers is, therefore, implied in the above order.

The originals were delivered at the White House on September 9, 1919.

A true copy.

[SEAL.]

W. G.

EXHIBIT 5.

To the Nation:

Revolutions are social necessities, crises which arise when Governments have closed the legal roads to the political progress of peoples; they strive for principles of social improvement, and ever inscribe on their banners the great desires of those peoples. Should this not be so, should a revolution not carry from its beginning a great promise of social redemption, it would be dead from the cradle; and if later actions did not lead to the discharge of this promise the revolution would equally be condemned to death. For the inexorable laws of nature, which impose themselves alike upon individuals and peoples, establish conservation as a universal principle, and neither peoples nor individuals change the normal course of their life, or break the regularity of their existence, or venture upon great risks, except in presence of some greater benefit, before the vision of a greater happiness, or facing a future that augurs elevation in the moral order, progress in the material. For this reason we repeat: revolutions which have not been the explosion of true ideals, or those which have later abandoned them, can not prosper; and armed movements that seek to impose them, never can succeed in so doing, for as said before, peoples as individuals react to the sentiment of conservation, and conservation necessitates betterment.

These clear and simple premises explain why Carrancismo and the so-called "Constitutionalist" forces sustaining it have not been able after more than two years, and never can be able, to reestablish and consolidate peace in the Republic.

The Carrancista movement arose on the 26th of March, 1913, in accord with the plan of Guadalupe, on the bases of disavowing Gen. Victoriano Huerta as President of the Republic, as a usurper, and disavowing as accomplices in his usurpation the legislative and judicial powers of the federation, who had recognized Gen. Huerta, as well as the State authorities who had accepted his Government. The entire plan therefore rested on the respect due to our constitutional laws, guaranteed in our Magna Carta, and in the duty resting on all Mexicans to sustain those laws, even by force, when reason can no longer make itself heard.

Carranza, then, on rising in arms, proclaimed the supremacy of the Constitution and offered the Republic the defense of its violated principles. It was in truth a great promise. The Code of 1857 cost our ancestors so many and so great sacrifices; so often has it been repeated that this code is the genesis of our political education and destined as the cement to our condition as free men; and so intimately have we been convinced of these truths that all Mexicans who

have not lost faith in the reconstruction of our country feel ourselves profoundly moved and threatened when the precepts of that constitution are in danger—and at the same time feel ourselves strong to defend and maintain them unharmed. To this it is due that Don Venustiano Carranza, a man without any notable past, found political allies in the Republic, and that his call awoke echo in the breasts of many Mexicans.

After a year and a half of contest, Carranza arrived at Mexico and, with the name of first chief of the so-called constitutionalist army, assumed the provisional presidency of the Republic. Carranza then changed radically, breaking with the principles by which he had triumphed. His ambitions, of low order and founded on no democratic education, together with the evil counsels of his favorites (who were many and without morality), brought him to forget all—absolutely all—his promises; and by a sanguinary irony of fate, the author of the Plan of Guadalupe, he who had in the name of the constitution disavowed Gen. Huerta and the other Federal powers, upon assuming the Executive Office, himself declared abolished that very constitution and all the laws derived from it. He decreed that his Government would exercise its functions in a "preconstitutional" period—outside of the constitutional order; outside of all law. By this means Carrancismo cast the Republic into the most absolute anarchy and despotism; all rights and all guarantees disappeared; no one knows where his property begins nor ends, nor knows how long he can dispose of his liberty nor his life; from that time the constitution and all the rest of the laws became substituted by the arbitrary will of Carranza and his favorites, thus establishing a purely personal Government—an oligarchy, odious and impossible to bear. With the ideals dead, disorganization came of necessity. Villa, in spite of his crudeness (*rudeza*), saw that Carranza and his people were throwing the Republic into chaos, and demanded his withdrawal; Zapata, who until then had shown himself in general terms in sympathy with the revolution in the north, likewise demanded that Carranza surrender the power in order to do away with personalism and bring peace. The State of Oaxaca, that heroic and glorious State, which had maintained itself in peace in the midst of disorder, without losing its normal life; which by its antecedents and its importance also figured as one of the factors upon whom rested the solution of the national destinies; that State, loving peace and the law, divorced itself from Carrancismo, demanding of that faction the respect for its sovereignty and the consideration due to the Oaxacan people and their legal and established Government.

Carrancismo had gone too far upon the wrong path to consent to abandon it. Its leaders had tasted the gratifications of command and enjoyed the fruits of their robberies; they came to consider as their sworn enemies not only those who opposed them but those who, of morality or for shame, refused them their support in the enterprise of destruction and infamy they had embarked upon. It was the beginning of a new war more sanguinary and more cruel than what had preceded. Hostilities first broke out with Villa, then with Zapata, and later with many other leaders; and finally this State of Oaxaca was invaded, the last refuge of the liberties and the last bulwark of our institutions. It amounted to nothing that the constitutional authorities of the State showed that order reigned throughout its territory, that public services were carried on efficaciously, that the people were in full enjoyment of their rights, and that the Government had implanted the reforms demanded by the progress of enlightenment and the needs of the time. All this availed nothing, we repeat; Carrancismo needed the booty of war, and the State of Oaxaca was invaded.

Carrancismo had shown itself ready for everything, absolutely for everything in order to continue possessing itself of the last remnants of spoil that still remain on the blood-marked body of the country. This ill-omened faction has by its conduct brought upon us invasion from outside, while it continues its fratricidal war, instead of repenting and mending its errors to the preservation of national integrity and dignity. But there is yet more. That felony we know as Carrancismo has passed the limits of the imaginable, inviting good Mexicans, patriots in heart, who, unwilling to light more fires of destruction within the nation's homes had retired to private life—inviting these worthy sons, we say, for the repelling of intervention, and then when they had responded to that call, surprising their good faith, forced them into the civil struggle.

With our national integrity compromised, and the Republic plunged into anarchy and the most unbridled despotism known in all our history, it is matter of the most urgent and imperious necessity, to bring once more our good

faith into play, to send out the call to all good Mexicans and to make a supreme effort to reorganize its energies for the work of reconstruction, for true national reconstruction. The present moments are definitive, and we should take advantage of them; the safety of our country demands it. The problem is arduous and difficult, especially because first of all there must be extirpated the condition of armed chieftainship (*caudillaje*), the indispensable prerequisite to the doing away with personalism in Government; preventing the resting of the national destinies at a given moment in the hands of but one or two individuals, instead of lying in the hands of the Nation itself or its representatives. To this end there lies but one road open; to work from the periphery to the center; that is, to stimulate and bring about the reorganization of the larger number of the States of the Republic, that these may in turn bring about that of the Republic itself. It is a proceeding analogous to that followed by the States of the American Union in 1778, and will give us protection against that central absorption of power which the Federal powers have through our whole political life, in every epoch, practiced against the State authorities, and place us in the only condition permitting the reconstruction of our nationality and the salvation of our territory.

To the State of Oaxaca there falls the honor and satisfaction of setting the example to the rest, its sisters. Its constitutional authorities, which to this day have not ceased to function, in spite of all the obstacles in their way, will soon reestablish themselves in the State Capital, and our efforts will soon give them the complete control of the entire territory of the State.

In the other States of the Republic where men of good faith still are fighting against Carrancismo, this example should be followed. Those military commanders which carry on operations along these lines in those States, can count for our aid to that end; and with the purpose that as soon as any State is freed of the menace of Carrancismo, those commanders shall at once designate a provisional governor who will immediately convoke the people to the election of legislatures.

The legislative branch duly organized, without loss of time elections for the executive and judicial State authorities shall follow.

When the majority of the States shall have been reorganized upon the lines thus indicated, in accordance with the constitution of the Republic and the other general laws, and its own State Constitution and the laws appertaining, the representatives of these States shall convene for the nomination of a provisional president, whose principal mission shall be the immediate calling of elections through the Republic for the National Congress. And with this body in session, he shall call elections in the Republic for the remaining Federal authorities.

Mexicanos, the country calls upon us for a new sacrifice; let us respond with resolution and love to the call, and bearing the sacred banner of our constitution, let us fight on until we win that its beneficent shadow covers and protects all.

PLANS.

First. There is reestablished in the Republic the dominion of the general constitution of the 5th of February, 1857, with its additions and reforms legally adopted by the means which itself provides, and with the laws of reform and the others derived therefrom.

Second. C. Venustiano Carranza, first chief of the so-called constitutionalist army, is disavowed, with all the authorities that he has imposed.

Both citizen Carranza and those others who under his so-called government have held the position of authorities, shall be judged in accordance with the laws, for usurpation and such other crimes as they may have committed.

Third. The States adhering to the present plan, and in which the constitutional authorities have disappeared, shall make all effort to free themselves from Carrancista control, and succeeding in this shall reorganize themselves under the Federal and State Constitution and the laws appertaining. For this purpose, the military leaders in each such State, opposing Carrancismo, shall in the shortest time possible meet to nominate a provisional governor, choosing for that post a native of the State itself, and a man whose character and firmness shall afford guarantees to the cause. With no loss of time the provisional governor shall call extraordinary elections for deputies to the State legislature. This body once reestablished, in order to proceed at once upon legitimate paths, shall as its first act appoint an acting governor, choosing for that post the person designated as provisional governor, if it sees fit. The acting gov-

ernor shall then at once convoke elections for constitutional governor, and members of the judiciary.

Fourth. All the States adhering to this plan shall, without the need of further agreements, constitute an offensive and defensive league against Carranzismo, shall maintain constant intercommunication, and their governors and military leaders shall act in concert in the general operations.

Fifth. The forces organized in support of the present plan shall be known as the "Army of restoration of the Republic." (*Ejército Restaurador de la República.*)

Sixth. As soon as a majority of the States shall have been duly organized under the constitutional order, the government of each one of those States shall name a representative to attend an assembly at a date and place to be duly set. In such gathering the representatives then of a majority of the States shall agree upon, and shall nominate by not less than a majority of votes, a provisional president of the Republic, who shall not be a military leader in the command of a force. This provisional president shall be recognized and supported by all the reorganized States, shall at once take possession of his office and call immediately extraordinary elections for Deputies to the National Congress. This body in session, it shall as its first act nominate an acting president, who may be the same as already named provisional president. This done, the acting president shall at once call extraordinary elections for constitutional president, and members of the judiciary.

Seventh. The offices of President of the Republic, and governor of any of the States, shall not devolve upon military leaders in command of a force. Such leaders can be nominated and elected for said offices, after the lapse of a year of separation from their military service.

Eighth. The President of the Republic and the governors of the States, provisional, acting or permanent, shall maintain from the moment of their assuming office that all their acts, and the acts of all other officials within their jurisdiction, shall conform strictly to the principles of the constitution of 1857, which is declared in force; causing to be restored to their owners immediately all property confiscated from them by the Carranzista or any other faction, and procuring that thenceforward all nationals and foreigners shall enjoy in their persons and interests the guaranties which the said constitution assures. The same authorities shall at once bring about the repatriation of the Mexicans now driven from the country by political persecution and the lack of guaranties—those who may have been guilty of crimes remaining subject however to the law.

Ninth. The new emissions of paper money put out by the so-called constitutional government headed by C. Venustiano Carranza are declared null and of no value.

The invitation is extended to all the States, to all military commanders, and to all Mexicans of good will, with distinction of political party, that, forgetting hatreds and past divisions, they adhere to the present plan, second it with efficacy, and cooperate with all their ability toward the early reorganization of the Republic, which means the salvation of our country.

Ixtlan de Juarez, State of Oaxaca, October 11, 1916.

For the division "national integrity" and the other restoring elements of the north of the Republic.

J. ISABEL ROBLES,
General of Division.

For the division of the "Sierra Juárez" and the other restoring elements of the free and sovereign State of Oaxaca.

GUILLERMO MEIXUEIRO,
General of Division (Lic.).

(NOTE.—Not long after the issuance of the above document, J. Isabel Robles, one of the most respected by all the various elements in the country, opposing the Carranzistas, was killed in the north of Mexico. After that, for lack of resources, Gen. Meixuelro, in cooperation with the State authorities, elected in the close of 1914, was able only to maintain defensive operations in the State away from the State capital and the railroad lines.)

1. The immediate clean-up of the customhouse and port services, stopping absolutely every kind of robbery and extortion, such as is now a national scandal. Nothing could more immediately influence public opinion in this country

and elsewhere than a change of that kind right where it is first felt by all persons doing business in or entering the Republic.

2. Immediate steps to relieve the demoralization and beggary of the lowest classes, not by charity but by work and cure. If necessary, appeal for assistance in this matter to outside agencies—Red Cross or other—as is now being done for suffering, destitute peoples elsewhere. Do something at once in Mexico for those who need it most.

3. Immediately institute the rule in all public services, including the railroads, telegraphs, and all civil offices, of prompt, courteous, and willing service to the public. Give that which is coming to characterize our best conducted businesses—what we refer to as service. If a traveler enters the wrong railroad office for train information, let him not be dismissed with no effort to help him. And especially let this include the expediting of routine. If a matter can be disposed of when presented or a signature *pro forma* attached in 10 minutes, let not the public servant require the visitor to come back three or four times, at a waste of many hours, solely to impress the visitor with the clerk's authority and ability to make him wait. This fault is an economic waste and, besides, involves a totally wrong view of public service, that the egotism of a clerk should gratify itself at the cost of the service he is there to render, and the result of the opposite conduct is instant and far-reaching. Insist on good treatment, *buen trato*, in all public services, and you will remoralize everything; and it can be done easier in Mexico than here, provided the man at the top means business.

4. That there be immediately selected, with greatest care, a corps of men, similar to those organized under our agricultural department and similar bureaus, to visit the local pueblos and towns throughout the Republic, to consult with the local authorities as to the needs or openings in each place for works of improvement or local development; also to consider local questions of stimulation of agricultural activity; improved methods, introduction of fertilizing, rotation of crops, possible new products in the different localities, questions of transport, road improvement, etc. That in this work the interest of the local authorities, *ayuntamientos*, etc., be so enlisted as to make them coworkers in reconstruction; give them something to do that strikes right at the welfare of their community and every man in it, making them realize that for the first time in their experience the Government is coming to do something for them. This will not be easy at first; similar efforts in this country have had to meet all manner of suspicion and obstinacy from farmers and others, the very ones to be benefited; but time will make a change, provided the work is gone at sincerely, intelligently, and without either taking or permitting private graft or profit in the introduction of the new order. I am completely aware that this would be called by nineteen men in twenty a hopelessly Utopian impossibility, in Mexico; but I am only the more convinced that once affronted with real intention, more than half the struggle would be over, and that its very apparent impossibility would only make it more possible. For in Mexico, *lo que quiere el Gobierno, va*. In the early stages of the work, I would urge calling upon the officials in this country for assistance, in experienced men, already with training and tact in the solution of similar problems here. In this connection the Pan-American Union could be and would gladly be, of the greatest possible aid.

There is one element in this connection which I also regard as of the very greatest import. I am going to anticipate that a political recognition of the new Mexican administration might for various reasons, historical and other, be delayed; also that financial aid on a large scale might require long negotiations to bring about an accord with both Washington and New York. But the Government at Washington could not possibly refuse cooperation in a non-political reconstructive work of this kind; and it could be granted without implicating the State Department, and without even actual formal recognition of the new government in Mexico. Its actual, real, and practical verification would be of untold weight in bringing about confidence in this country.

But one condition would be absolute: No private or political profit must be even permitted, anywhere in the whole matter; at every point it must be carried on as free from taint as was the work of the Commission for Relief in Belgium. No commercial interests, no persons in Mexico City, nor any local pueblo agents, *presidentes*, or other officials, must gain one centavo of individual profit, beyond legitimate pay for services rendered—open pay and open services. It is this one fact alone that would bring the change quickly; it is that which is of even more importance than the details of improvements. Permit private

gain, and you kill the spirit of cooperation, which is the one great thing that would rebuild the whole; arouse interest not for personal ends, but (even if only in one or two in a town at first) in the work itself as the object—and you will soon have a force back of you that will make the Government impregnable. And if recognition and external loans have not come at first, they will have to come because of that one thing.

5. Immediate and stern repression of disorder everywhere. I have put this fifth instead of first, as would generally be done, because it needs no argument. But also more because with the four preceding policies started this will be a problem of one-fourth the difficulty. Remoralize conditions by substitution of worthy and interesting activities that involve prosperity, and the need of repression is minimized at once. There will be abandoned and demoralized elements after these years of disorder that will resist any decent order, but begin by remoralizing where it will be received, and then repress those who refuse to accept. Every peso spent in remoralizing will save five in punishing; though I do not mean in the least to be soft in the matter of discipline, when that is called for. But let the order be that of the hospital, where sanitation and discipline are both essential and coordinate. Let sanitation and discipline come first in the mind, for that is indeed the real object.

In doing this I would suggest that police functions be separated from the army as rapidly as possible, restoring the army to its old honorable position as a national entity of defense, not of an instrument for the control of Mexicans. This will accentuate the difference from the militarism of the day, and then the police can be remoralized as the cooperative force of social order—its proper place.

Coincidentally with the above five activities, there shall be at once undertaken and prosecuted the definitive solution of the national agrarian problem, along the lines indicated in sections 8 and 9 of the plan of Tierra Colorada. The activities under clause 4 above will be a supporting program in this connection, but I name the agrarian problem here separately and after the above five points, because it is a broad and national problem, requiring detailed consideration, and various legal and property questions, and quite certainly new and carefully studied legislation. It should be attacked immediately beyond all question, and in fullest good faith. Where immediate local relief can be given, as indicated in section 8 (Tierra Colorada), that should be done; it should be worked out both piecemeal and as a whole. Where it is possible to come to terms locally with landholders, and satisfy local needs by separate arrangements, that should be done without holding up any local need or want which can be so met in waiting on the whole new matter of national legislation.

As a part of this work, the whole question of national and local irrigation problems should be included, as indeed already included in the plan de Tierra Colorada.

In this connection the essential desires of Zapata must be met, and at the very outset; Zapata must be made to understand that this is so; and I could not refuse my own assistance in arriving at such a result there. After my intercourse with him, the relations of confidence established with him, Soto y Gama and Magaña, and especially now that I have definitely carried out what I assured him and them, but doing them public justice in my April article. I am hopeful of a successful issue. But it is also to be understood that there are three elements to the question, and not only one as Palafox thought. There is first the actual care for the small independent farmer; then the interests of the State and nation as a whole, and increased productivity; then the actual rights of the large landholders. Whatever the point of abstract justice or ideas, it would not be wise to deny any rights at all on the part of the latter—but that can be a very simple question: Mere dollars; they are not interested in their local home independence as the small farmers, nor is the national problem of development of production their object. There should be an adjustment, after frank discussion, and if need be compromise between the national need and the difficulties of large-scale production for which small and uneducated proprietors lately redeemed from total economic subjection are as yet wholly incapable. From my acquaintance with Zapata and the others I have mentioned, I do not fear the result of such conference; but the welfare of the local people—their actual welfare and raising to happiness must come first.

7. A definite study of constructive road building all over the republic; preparation for, and introduction of auto-truck transportation into the remotest parts of the country. No one single thing, save only that of remoralization of

the people after the debauch of looting and disorder of these past years, outweighs this in its future results.

I have placed the first five activities above at the head of all, because the one first thing most needed, and the base of all the rest, is remoralization of the people. There are other problems, the debt, railroad construction, and like national problems which are commonly put in front. These require great sums, and a foreign loan—before which must come confidence restored, and governmental recognition. These things have waited five years or more; let them wait another six months. State the point and the reason if need be; but if necessary, let them wait. They are all questions each of great complexity and compass; they involve time, long discussions, intricate study, and hundreds of millions. With the restoration of the constitution, the dangerous international questions will automatically disappear; trade and intercourse will come of its own motion; the owners of oil and mines will not need to be invited to resume, and their resumption will help in the restoration of new conditions, regardless of Wall Street or Washington. Then take a breathing spell on this for six months or more, frankly; but begin the other things above at once. And then:

8. The question of railroad reconstruction, financing, and extension.

9. Adjustment of the national finances, the debt, a new loan, and the circulating medium.

On these clauses 8 and 9 the matters agreed upon in the paper of February 5 last will be pertinent.

10. A sane, well-developed, and well-paid national secular educational system.

I have placed these three absolute essentials at the end, not because they can be in any sense ignored but because of their magnitude and of the issues and difficulties involved. None of them can be settled in a day or a month. Nos. 8 and 9 need foreign cooperation; No. 10 is something that must grow with the new order. All three can wait upon the urgent necessities of remoralization, bread, renewed interest in work, and production. They can not wait indefinitely, but they can wait six months. They have waited six years on disorder and demoralization; let them wait a little longer. And they will be indefinitely easier to handle, and on infinitely more favorable terms for Mexico from outside, after six months' actual progress in the first five clauses, the troublesome sixth in the way of disposal, and the seventh planned out as interrelated with clauses 4, 6, and 8 above. No. 7 will need financial assistance, which must be provided for in the settlement of No. 9 and in ways we have hitherto considered, but it ought to be put into the whole plan as a broad national program before we come to seek this assistance and foreign cooperation involved in Nos. 8 and 9.

In short, the idea in the foregoing items and their arrangement is that they can be done without outside assistance or recognition; that if they are so done, you need not worry in the least about loans or recognition; those must follow as day after night. But if you try to begin with 8 and 9, you have to worry about everything.

2016 Mount Royal Avenue, Baltimore.

The foregoing was incorporated in a letter, under date April 1, 1919, to the official Felicista representation in this country, as a formal proposal on behalf of the State of Oaxaca aid Gen. Meixueiro, and on my own part as an ally and friend, as a definite plan of procedure to be at once followed upon the entry of "the 1857 forces, the forces of law and decency into the capital." After ample discussion, the plan above was formerly accepted in toto, on behalf of Gen. Felix Diaz and "the national reorganizing army," in writing.

EXHIBIT 6.

To the Governor of the State, Puebla, Pue.:

The undersigned residents of the town of Tejupa, San Miguel Ahuacomulcan, San Antonio Cuautla, Atzitzihuacan, Huilango, Tulcingo, San Pedro Ixhuatpec, San Francisco Nochitopa, San Mateo Coatepec, San Juan Amerac, Santiago Tochimizol, Tepanapa, Yancuitalpam, Zacataupa, San Miguel Tecuanipa, belonging to the districts of Matamoros and Atlixco, present ourselves before you to set forth: That, being grievously oppressed one and many times by the forces under the command of Gen. Jesus M. Guajardo and his subordinates, we are forced to raise our voice in demand of guarantees and justice.

Life in this region has become insupportable. Each time that the mentioned troops pass through it they leave the country veritably desolated to such extent that they seem to mean to make it uninhabitable.

Far from showing by their conduct that they are soldiers of the law and the guardians of order, they enter only to sack the towns, carrying off with them everything they can take. Work animals, beasts of burden, hogs, fowls, turkeys—they seize and sweep everything clean in their expeditions, which are more like ventures of destruction and rapine than military expeditions. It seems that especially they make an object of robbing grain and cattle, to sell them in the neighboring towns.

What they can not carry off they destroy. They respect neither the cereals indispensable to life, which they scatter along the streets and roads, to feed their mounts, or for the mere pleasure of causing harm to their rightful owners. They destroy the fields and standing crops, break the doors, the roofs, and the scanty furniture and utensils of the houses. Not even the grindstones nor the humble pots and jars escape their destructive fury.

In the churches they commit veritable atrocities; they are not content with robbing whatever they can find, especially vestments and sacred vessels, but they even convert the churches into stables and use them for most abominable purposes.

But where they give freest rein to their appetites is in violation of the women. No conditions are respected by them; girls, married women, and even children of tender age and aged women are the victims of their unchained lust.

Ten, 20—even more—satyrs satiate their bestial instincts, one after the other, on the body of their victim, some of whom die and the rest are left in deplorable condition.

There have been cases where innocent little girls of 9, 10, and 11 years have been attacked, their weakness unable to withstand such excesses, so that they perish as a consequence, without there being any authority, any hand of justice to inflict the deserved punishment on their barbarous executioners.

With our rights thus all violated, treated like beasts, outraged in our dignity as fathers and husbands, wounded in our dearest affections, and deprived of all we have, to-day we cry out against such abuse, if there be even little hope of being heard.

These deeds, these attacks have taken place at other times on the invasion of this region by the battalions of Yaquis. Then also the towns formulated our complaints; we protested to the higher authorities, and were not heard.

Nevertheless, and though fearing that our voice will be lost, we appeal through you to the higher authorities, those who stand above these evil servants of the Government, these disloyal servants or defenders of society.

It is grievous to say, but the truth. We enjoy more protection from the rebels than from the forces of the Government. The revolutionists give more respect than these others—our families and our possessions.

Here it may be seen to what a point a Government instituted to guarantee order and inspire respect for the laws, is found incapable of complying with its mission, through the fault of its agents and the immorality of its troops, or at least of a part of them.

Firmly we believe that the public peace can not become a fact while this disorder subsists, so prejudicial to the good name of the Government and to its prestige.

It is not strange that in every town there are those who, seeing that their place as peaceful laborers does not suffice to protect them, prefer to unite with the disturbers of order, rather than resign themselves to continuing the defenseless victims of the forces of the Government.

And as to ourselves, who remain obedient to our duties, working for the support of our families, wearing ourselves out in the cultivation of the fields, exhausting our strength in procuring the needs of our wives and children, at every step we see ourselves interrupted in our work and forced to flee, knowing that the soldiery respect neither life, property, nor the honor of families.

On mere suspicion the most honorable and peaceful citizens are shot. Others are beaten and threatened with death. Homes are sacked and despoiled as if one dealt with enemies. The cattle, crops, and work tools stand in constant danger, to such degree that there is no recourse left to us modest laborers than to run to hide ourselves in the deepest parts of the forests, on the mere notice of the approach of the Government forces.

If this can be called the reign of order and law, the dominion of a genuinely constitutional and honorable régime, those better instructed than we can say.

We can only point to these acts, and lay them before the knowledge of the authorities. They will judge whether or no it is necessary to punish the guilty, and to take the needed steps to put an end to this intolerable series of attacks.

In the name of the law, in the name of the principles proclaimed for the welfare of the country that is to-day so gravely threatened, we ask for justice, and beg to hope that you will interpose your influence and your good offices with the higher military authorities, that these may prevent the continuance of these acts.

Protesting to you our respects, as mark of faith we give our signatures this 4th day of August of 1919.

EXHIBIT 12.

Dated: El Paso, Tex., December 5, 1919.

From: ———, special investigator.

To: Senate subcommittee investigating Mexican affairs.

Title: Mexican I. W. W. activities in the United States.

In the first part of May 1918, the Mexican consul, ———, at Clifton, Ariz., called at the grocery store of a Mexican named ——— in Clifton Ariz., and left a large assortment of printed matter, telling ——— to look it over and let him know what he thought of it. ——— was busy at the time and did not look at the literature until after the consul had left. When he did examine it, he found that it was a quantity of I. W. W. and pro-German literature. When he discovered this he became so frightened he immediately threw it in the stove, not wanting it to be found in his house, owing to the great unrest that was at that time in the Clifton-Morenci mining district. When the consul returned he told him what he had done with the literature and asked him if he was not afraid to be circulating matters of that kind. To this the Mexican consul replied that there was no danger of it being found out, because this matter came to him officially and no one would break his mail because he was a consular officer of a foreign country.

——— immediately reported the matter to a Mexican named ———, and requested him to report the matter to Sheriff Slaughter, of Clifton, which ——— did. From that time on a close watch was kept of the Mexican consulate, however, the local officers at Clifton were never able to catch him with any of this literature. It is believed that he became aware of the fact that ——— had reported the matter and desisted.

These facts can be substantiated by Sheriff Slaughter, of Clifton, Ariz., as well as ———, whose under-cover operatives reported this same matter to him at the time of its occurrence.

In September, 1918, a Mexican named Ignacio Acero left Jerome, Ariz., and went to Morenci, Ariz., stating that he was sent to this district to organize the Mexicans in behalf of an anarchistic movement. Acero had formerly been at Metcalfe, Ariz., and was president of the Metcalfe local of the I. W. W. in December, 1917, but owing to the fact that the companies got on to him, he was discharged and was compelled to leave that district at that time. In September, 1918, while at Metcalfe in connection with the organizing of the Mexicans, Acero said he was expecting to organize all the Mexicans in the United States and expected within a short time to be able to raise the red flag of emancipation, and stated that they would have the cooperation of all Russians, Germans, and Austrians in the country. That he believed in the triumph of the Central Powers, and that would spell victory for the working class of the United States. During the time he was in the Metcalfe-Morenci district he had the cooperation of Julian Gutierrez, president of the Mexican club for Clifton, Ariz.; Anastacio M. Maldonado, secretary of the Mexican Club, at Clifton; Manuel T. Viveros, president, and Pedro M. Reyes, secretary, of the Mexican Centro Club; also A. C. Valdez and Jose L. Payan, president and secretary, respectively, of the Circulo Mexicano. While Acero was able to organize some of the Mexicans in some independent groups, he was not able to bring about a socialistic anarchistic league embracing a majority of the Mexicans in the mining district, so he left the district and returned to Jerome, Ariz., stating that he would try and make the headquarters of the new league at that point.

After returning to Jerome, he wrote ———, stating that he was having fair success and that the socialistic anarchistic organization that he intended to

affiliate the Mexicans with was being well organized from California to Louisiana and that the immediate purpose of the organization was to start a revolution in the border States. That they would attempt to interest the colored people, with the understanding that if the revolution would be a success, they would be given the State of Louisiana. After some urging, _____, of Clifton, Ariz., agreed to represent Acero in spreading propaganda amongst the Mexicans relative to the new organization, and _____ agreed to act in this capacity in Metcalfe, Ariz. Acero also had a secret meeting in the Globe-Miami district during the month of September, at which meeting were five leaders of that district. This meeting was with the object of effecting an anarchistic organization. The man Acero and his coworkers had actually planned an uprising in the State of Arizona, to take place on September 24. On September 22, _____ sent his wife and family to El Paso, Tex., from Metcalfe, and advised his other Mexican workers to send their families out as the time had almost approached for their revolution to start.

In partial substantiation of this revolutionary movement, a reliable operative interviewed Col. _____, a Mexican revolutionist at that time in El Paso, Tex., wherein _____ stated:

"That on or about September 22, a note was left at his home, _____, which read as follows:

"_____. I have just arrived from Metcalfe, Ariz., this date. You have been recommended to me by Vicente Rubio, as a man with whom I can discuss an important matter, and also that you might direct me to other people in whom confidence can be had. If you know Benjamin Rios I would like to talk to him. I shall return at 9 p. m.

" 'MANUEL G. GARZA.'

"At the appointed hour the man called, introduced himself as Manuel Garza, and stated that he had been sent to _____ by one Vicente Rubio. He stated to _____ that there was a revolution being formed in the States of Texas, Arizona, and New Mexico, and that he wanted _____ and his friends to join the movement against the Government of the United States. _____ asked who was back of the movement. Garza replied that the movement was made up of Mexicans and Americans, and that the Carranza garrisons along the border would help out if called on. _____ did not give Garza any satisfaction, but stated he would see him later. _____ stated that during the conversation he was trying to remember where he had seen this man Garza before. After he left it dawned upon him that the man's real name was Toribio Gaytan, who had in the early days of the revolution been an officer in the Carranza army. _____ also remembered Vicente Rubio as being an officer in the Carranza army during 1914."

It is presumed the reason that this Mexican called on _____ was that it was a known fact among Mexicans that _____ was at that time organizing a party of Mexicans to go to Mexico to take up arms with Francisco Villa, and since this occurrence _____ has crossed into Mexico and is at the present time in arms with Villa. At the time of reporting this matter, Col. _____ agreed to try to see the Mexican Garza and signify his willingness to go into the proposition, agreeing to keep the officers of this government advised of the movement. However, he did not see Garza any more, and shortly afterwards crossed into Mexico himself.

In further substantiation of the fact that some sort of a revolution was intended, attention is invited to the fact that an uprising was attempted in the Jerome, Arizona, mining district at daylight on the morning of September 24. In the fighting an American mine guard was killed and Amecito Acero, the organizer above referred to, was killed together with three other Mexican agitators. The proposition was quelled, due to the fact that the local officers had advance information something was going to happen, and by killing these four Mexicans the uprising was put down without any further trouble.

The uprising planned for the Morenci-Metcalfe district did not materialize, and it is a significant fact that October 9, 1918, _____, one of the organizers referred to, left that district and is at the present time supposed to be in Camanah, Mexico.

The above data relative to the revolutionary movement can be substantiated by _____, who has original reports of his operatives who reported the occurrences mentioned.

Concerning other connections between Mexicans and the I. W. W. agitations in this country, I quote herewith from a copy of a report of a letter, viz:

"From Comite Local Union Minera Mexicana, Rosita, Coah., Mexico.

"To: Pedro N. Puente, Mexican consulate, El Paso, Tex.

"Dated: June 17, 1918.

"Writers using the I. W. W. greeting. 'Salud Companero' (Hail, comrade).

"And the watchword 'Trabajo, Fraternidad, y Justicia' (work, brotherhood, and justice).

"State they have received addressee's letter June 8. Have already asked the governor for a railroad pass and passport so that a committee may meet in Chihuahua to take Comrade Juan Hernandez Garcia safely to Rosita. They ask that addressee advise them by telegraph should anything occur."

The addressee of this letter is chief of the local secret service of the Mexican consulate in El Paso, Tex., and is so employed at the present time.

A significance which may connect with the letter just quoted, is the fact that in September, 1918, Juan I. Garcia was secretary of the Mexican Union at Morenci, Ariz., and was often in close consultation with ——— referred to in the statement of revolutionary activities mentioned in the first part of this report. It is not known whether this Garcia is the one mentioned in the letter.

Another significant occurrence is noted in the shape of a letter from Vincent St. John, secretary general defense committee, I. W. W., Chicago, Ill., addressed to "M. T. W., Branch 100, Apt. 551, Tampico, Mexico," requesting all secretaries of unions, branches, and defense committees in Mexico to change their present names and addresses in order to avoid the postal authorities.

At the time of writing this letter, St. John was under bond pending appeal on conviction in the United States district court at Chicago, Ill., under a charge of conspiracy to overthrow the Government. The documentary evidence referred to in this report can be obtained at such time as it is desired.

Additional reports will be submitted under this head.

Respectfully submitted.

Special Investigator.

(Whereupon, at 4.30 o'clock p. m., the committee adjourned, subject to the call of the chairman.)

INVESTIGATION OF MEXICAN AFFAIRS.

MONDAY, MAY 10, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to call, at 2.30 o'clock p. m., in room 128, Senate Office Building, Senator Albert B. Fall presiding.

TESTIMONY OF GEORGE AGNEW CHAMBERLAIN.

(The witness was duly sworn by the chairman.)

The CHAIRMAN. You may state your name to the committee.

Mr. CHAMBERLAIN. George Agnew Chamberlain.

The CHAIRMAN. Mr. Chamberlain, where do you reside?

Mr. CHAMBERLAIN. My physical residence is at Capitan, N. Mex.

The CHAIRMAN. What is your occupation at the present time?

Mr. CHAMBERLAIN. At the present time I am writing.

The CHAIRMAN. What has been your occupation prior to the present time?

Mr. CHAMBERLAIN. I was in the Consular Service of the United States for a period of 17 years, with an interim of two.

The CHAIRMAN. At what stations did you serve in the Consular Service?

Mr. CHAMBERLAIN. Bahia, Rio de Janerio, Pernambuco, Lorenzo, Marcos, and Mexico City.

The CHAIRMAN. What was your official position at Mexico City?

Mr. CHAMBERLAIN. Consul general.

The CHAIRMAN. When did you go there?

Mr. CHAMBERLAIN. In May, 1917.

The CHAIRMAN. You are familiar with the Spanish language—speak, read, and write it, do you?

Mr. CHAMBERLAIN. I do.

The CHAIRMAN. You had had consular experience in South America and other Latin American countries prior to going to Mexico, had you not?

Mr. CHAMBERLAIN. I had.

The CHAIRMAN. How long did you remain in Mexico City or in Mexico as consul general?

Mr. CHAMBERLAIN. Until August 1, 1919.

The CHAIRMAN. Then your period of service would practically cover the period of the war, in so far as the actual participation of the United States in the last war was concerned?

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. Your service also occurred during the administration of Venustiano Carranza, after his recognition as President by the United States?

Mr. CHAMBERLAIN. Well, I was there at the time of his final recognition, I believe.

The CHAIRMAN. He was first recognized as *de facto* president, or "first chief," and later, in 1917, he was recognized as president *de jure*.

Mr. CHAMBERLAIN. That is correct.

The CHAIRMAN. Did you know the generals and governmental officials of Mexico who were participating in military and governmental affairs during your period of service there?

Mr. CHAMBERLAIN. Do you mean can I give you a list of them?

The CHAIRMAN. Were you personally acquainted with all or a majority of them, or the most prominent ones?

Mr. CHAMBERLAIN. No. I had no personal acquaintance with any except Pablo Gonzales, and that was in a casual, social way.

The CHAIRMAN. He was a military leader, was he not?

Mr. CHAMBERLAIN. Yes.

The CHAIRMAN. Did you know the minister of hacienda?

Mr. CHAMBERLAIN. Yes; I knew Luis Cabrera.

The CHAIRMAN. Corresponding to our Secretary of the Treasury?

Mr. CHAMBERLAIN. Yes, sir. I should say that during a good deal of that time Nieto was actually at the head of that department.

The CHAIRMAN. That was during the absence of Luis Cabrera?

Mr. CHAMBERLAIN. That was during the absence of Luis Cabrera, and also during the time that Luis Cabrera was really the minister of finance, but not so in fact, which was during the early part of 1917.

The CHAIRMAN. Did you know, or do you know, the minister of gubernacion, Aguirre Berlanga?

Mr. CHAMBERLAIN. I have met him.

The CHAIRMAN. Did you know Candido Aguilar, who was for a time minister of foreign relations?

Mr. CHAMBERLAIN. I have met him also.

The CHAIRMAN. Do you know what relation he bears to the President?

Mr. CHAMBERLAIN. His relation is son-in-law to the President.

The CHAIRMAN. Did you know Beltran? Did you know the chief of staff of Mexico military affairs, Barragan?

Mr. CHAMBERLAIN. I did not know Barragan.

The CHAIRMAN. Did you, during the period of your service there, make any investigation of the general conditions, governmental and otherwise, in the Republic of Mexico, and particularly about the officials in the administration of justice, and the administration of governmental affairs, military affairs, and so forth?

Mr. CHAMBERLAIN. I did.

The CHAIRMAN. I would like for you to state in your own language what you determined as to the conditions in Mexico, as to the Carranza Government, and as to the conditions as you understand them with your intimate knowledge to exist now in Mexico. Just tell the story of Mexico in your own language.

Mr. CHAMBERLAIN. You mean, Mr. Chairman, in relation to what?

The CHAIRMAN. The people in Mexico, who they are and what they are.

Mr. CHAMBERLAIN. And also with relation to our troubles in Mexico.

The CHAIRMAN. In relation to our troubles in Mexico, and our duties, if we have any, and the conditions as you know them in Mexico, the general conditions, what they are doing and what the Mexican Government has done with relation to its people; the whole story of Mexico.

Mr. CHAMBERLAIN. Well, Mr. Chairman, I should say that the first point I would like to take up along that line would be the commercial feature, which was my special province. During the war, as you know, the enemy trading act was enforced; and, as a result, the consul general of the twenty-odd consulates under his jurisdiction got an extraordinary amount of actual information as to trade conditions in Mexico, and in connection with that we we gained a good many facts that had nothing to do with trade at the time. But I should say that at the end of the war we had more complete and definite knowledge in regard to commerce with Mexico, what the requirements of Mexico were, and the means for supplying those requirements, than we ever had before in the history of any country. Owing to the burdens of the war regulations, the consular staff had gone up from four people to a staff composed of the consul general, five vice consuls, and six stenographers and clerks. Naturally, at the end of the war that establishment was very anxious to take advantage of all the information we had gathered. The obstacle to that was the fact that we had no policy whatever in Mexico.

The CHAIRMAN. That is the United States?

Mr. CHAMBERLAIN. The United States had no policy. Efforts were made, not only by the embassy, but by the consul general, to get some policy established. Those efforts were unsuccessful, and as a result, I took the stand of informing American citizens who were anxious to invest in Mexico at that time that as long as Americans continued to be murdered in Mexico, and there was no protection for life or property, the consul general and American officials in Mexico could give no assistance to Americans wishing to invest in Mexico. That letter had the sanction of the Department of State in this way, that it was sent to the Department of State and remailed by the department. That meant that the entire activities of the consul general ceased. It meant that we could take advantage of none of the consuls which we had, and I began then to think of resigning.

One reason we should have established a policy at that time was the improper practices of the Mexican Government. It was a matter of comment and well known in Mexico City publicly that there was a direct alliance between Carranza and the cabinet and the bandits in Mexico. The scheme had been very frequently exposed, but it was a scheme of dickering for protection, by which any company that happened to be established in Mexico would dicker with the nearest bandit or with the nearest Carranza official, and the Carranza generals evaded wiping out banditry in Mexico, for the simple reason that if the bandits would disappear there would be no cause for military organizations in Mexico. It was a vicious circle.

There were also from that certain cabinet officers, aside from the military were well known to have received graft, in sums varying from nothing - and one I know of that only amounted to \$350, and the same man was willing to take a bribe of \$75,000. These cases were numerous, but naturally I can not expose the names of the people who paid the bribes, for the simple reason that this country is not in a position to protect them.

One of the most evil features of the whole situation was the fact that Gen. Carranza could change the tariff on any imports into Mexico from one day to another. That does not sound like much in this case until you begin to apply it. It meant if you had a shipment of so many tons of caustic soda coming on to the market, and your rival competitor heard of it, he could dickie with the authorities and have the duty placed on caustic soda in such a way as to bring his product in at a very much lower rate than your product could come in, and thereby he could undersell you. I mention that because those things actually happened. The juggling of the duties was without any specific authorization of the legislature. They gave a blanket authorization to Carranza to change the duties when he wanted to. That juggling alone was a sufficient feature to make every man in business in Mexico either go out of business or become a briber. There were no two ways about it.

These were the conditions, commercially speaking, which made trade with Mexico absolutely impossible, unless we could lay down a policy and demand certain guarantees by which we could reduce the graft throughout the whole country. I am not using that word quite in the sense we use it in the United States. We have graft here occasionally in city and State government, but that graft is almost always attached to some construction, construction of buildings, something of that kind, some constructive feature that goes with the graft; but the graft in Mexico was such as to let the whole resources of the nation pass into the pockets of a few men. That single condition of graft and maladministration of public funds I believe to be the basis of every misery not only of Mexico itself, but at the foot of every difference that we have had with that country. It has also been the cause of the downfall of every Mexican government, including the government of Porfirio Diaz.

I wish to qualify that by saying that Diaz was probably as honest a man as ever ruled the country. I wish to cite one example. His pet project, which was the Caga de Prestamoos, which was a bank to finance the small farmers of Mexico, proved to be the most colossal failure of his administration, and was used to fill the pockets of his political backers. So even that administration was undermined by that eternal question of maladministration of public funds.

SENATOR BRANDEGEE. Do you mean that Diaz himself was guilty, or these officials that surrounded him?

MR. CHAMBERLAIN. I do not believe that Diaz or Limantour, either one, profited in the slightest, but his official family, so to speak, did and used that to fill their own pockets. They were known as *cientificos*. The meaning of *cientificos*, as it was originally used, applied to 8 or 10 men, but by the Carrancistas it came to be applied to anyone that was in power at the time of Diaz.

SENATOR BRANDEGEE. The word was used before Carranza's time, was it not, and during the time of Diaz?

Mr. CHAMBERLAIN. Oh, yes; before Carranza's time the word was applied to a group of 8 or 10 men, but now it is applied much as the word bourgeois, or the well-to-do class. That is the sense it is used in now.

Senator BRANDEGEE. You have alluded to the completeness of the information which you acquired while you were there as consul general about these commercial matters. Is that in documentary form? I mean was the information or knowledge acquired by the office of the consul general reduced to writing anywhere?

Mr. CHAMBERLAIN. Absolutely. It was reduced in this way—that no firm in Mexico could make a shipment of goods to the United States or receive a shipment of goods from the United States without filing with the nearest consul—

Senator BRANDEGEE. I do not mean that. What I mean is in reference to the knowledge you acquired as to this system of maladministration. Is that in documentary form anywhere? Did you keep a diary, or did you make that in the form of writing to any department in this country?

Mr. CHAMBERLAIN. Yes. All these things were reported to the Department of State at different times, either in the cablegrams or stated reports.

The CHAIRMAN. Then you conducted also a personal investigation of your own into the general conditions that existed prior to that time under the Diaz and other administrations; did you not?

Mr. CHAMBERLAIN. The knowledge I naturally acquired from being there and from studying conditions as I found them.

I can say that I think I have summed up more or less the commercial situation.

Senator BRANDEGEE. Just one matter before you pass to something else. I did not understand the words you used, but you stated that from Carranza down through his heads of departments there was a form of graft or commission. Did you include Carranza in that system?

Mr. CHAMBERLAIN. I do not include Carranza personally, except for the fact that no one knows exactly what amount of money he received as an entertainment fund. I do not classify Carranza with his officials in the matter of graft.

Senator BRANDEGEE. You have alluded to the money paid by an importer who wanted to get a lower rate on his imports than his competitor; and you said he would pay it to the Carranza officials. Is it your idea that any of that got to Carranza himself?

Mr. CHAMBERLAIN. No; I think that was part of the perquisites of certain members of the cabinet.

Senator BRANDEGEE. Do you not think Carranza knew what was going on in that line?

Mr. CHAMBERLAIN. I think he did.

Senator BRANDEGEE. Do you think he could have prevented it, or was he powerless?

Mr. CHAMBERLAIN. No; I do not think he could have prevented it. I do not think that Carranza, when he accepted the plan of paying over 60 per cent of the entire revenues into the pockets of the military, when he accepted that he tied himself to the military, on the principle that they would remain faithful to him only so long as he could fill their pockets with loot. From that time on he

must have known all that was happening, and at the same time he had put himself in a trap from which he had no hope of escape.

I think the statement I have made covers the commercial situation, which forced me to see there was no object in remaining longer as consul general of Mexico. My hands were tied; there was nothing to do; and I could not spend money there under the conditions.

Senator BRANDEGEE. Did you recommend to the department any particular course of action which in your opinion would improve these conditions and protect American interests?

Mr. CHAMBERLAIN. I did.

The CHAIRMAN. What was the general nature of that?

Mr. CHAMBERLAIN. If you will allow me, I will lead up to that by stating the political conditions.

Senator BRANDEGEE. I will not ask you any questions at all. Perhaps it would be better to let you go on in your own way.

Mr. CHAMBERLAIN. I am very glad to answer your questions, but I just wanted to outline the political situation in Mexico during the two years I was there.

Senator BRANDEGEE. Very well. I think I probably throw you off from the continuity of your subject by interrupting, and do not accomplish as much as I would by letting you go ahead.

Mr. CHAMBERLAIN. Not at all; not at all.

The CHAIRMAN. You were treating conditions from a commercial standpoint, and now you want to cover the political features.

Mr. CHAMBERLAIN. I want to cover the political conditions for the same period of time.

The CHAIRMAN. And then industrial conditions, as distinguished from commercial conditions.

Mr. CHAMBERLAIN. There are no industrial conditions in Mexico. They have been destroyed. There are no industries left in Mexico, with the exception of certain companies which have continued through the payment of tribute. I will say that in all my experience in Mexico I can not name five large factories left to-day that are not run by Americans, and those, of course, are run under peculiar circumstances.

To sum up the political developments for the same time, I was naturally in closer touch with the embassy than the consul general ordinarily has occasion to be, and I know that period of two years contains an unbroken record of insulting acts toward the United States, such as have never been administered by any country to this country, or to any country on this side of the Atlantic, in the history of our country.

Senator BRANDEGEE. Who was our ambassador there at that time?

Mr. CHAMBERLAIN. Mr. Fletcher was American ambassador at that time.

I will only pick out a few of the high lights to show you the situation that existed.

Senator BRANDEGEE. You say you were in close touch with the embassy at that time about these matters?

Mr. CHAMBERLAIN. I was.

Senator BRANDEGEE. Will you state whether the ideas of the ambassador with yours?

Mr. CHAMBERLAIN. Absolutely.

Senator BRANDEGEE. And about the remedy or the course they ought to take?

Mr. CHAMBERLAIN. I can say that also. I am confident that Mr. Fletcher's views agreed with mine, from frequent conversations, almost daily, during the two years.

Senator BRANDEGEE. But you made reports to the department here, did you not, as well as to Mr. Fletcher?

Mr. CHAMBERLAIN. My reports were made to the department and sent through the embassy.

Senator BRANDEGEE. Forwarded by the embassy?

Mr. CHAMBERLAIN. They were addressed direct to the department.

Senator BRANDEGEE. But through the embassy?

Mr. CHAMBERLAIN. Through the embassy.

Senator BRANDEGEE. Very well. Proceed.

Mr. CHAMBERLAIN. Just to pick out a few high lights, to show what was the tendency in Mexico during those two years, the first effort that Mr. Fletcher made to establish actual and real friendly relations with Mexico was to obtain the release of over 2,000,000 rounds of ammunition which had been held on the border for a long time. He did that, I have every reason to believe, on the understanding that it would be taken in Mexico and used in Mexico as an evidence of the friendship of the United States, and would give the Mexican Government an excuse to show it was friendly toward us. Gen. Pablo Gonzales had something to do with that transaction, and what happened was this:

Carranza gave it out to the press that through the efforts of Mr. Bonillas, Mexican ambassador in Washington, 2,000,000 rounds of ammunition belonging to the Mexican Government, long held on the border, had been released. I would pick that out as a fair sample.

The CHAIRMAN. No credit was given to the American ambassador?

Mr. CHAMBERLAIN. None whatever, and no effort was made to show there had been any good feeling.

I am only going to pick out three characteristic actions. The second one, and a very vital one, was that Carranza, whenever things got a little strained, would send people up to you without any credentials. There was never any contention that any of these men should have power to negotiate; but he tried to make people up here think they were negotiating. On one occasion Mr. Nieto came up here for him, and his reception by the Department of State simply swept him off his feet by its sincerity. They said they wanted to deal with him in the best possible way. Ambassador Fletcher was cabled for to come up and form some agreement to wipe out the misunderstandings between the two governments. By the time they had finished the preliminary work toward such an agreement, Mr. Nieto, realizing that he had no power, said they would have to return to Mexico to continue their negotiations. So Ambassador Fletcher and Mr. Nieto returned to Mexico City, with a preamble which was called a preliminary aim toward an understanding, a phrase of that kind in Spanish, an understanding between the United States and Mexico. Mr. Carranza, upon receiving that document, had it printed in the public press without any reference to the American ambassador, and repudiated Nieto, who fell from power, and never has recovered, from that date to this.

Senator BRANDEGEE. What position did he occupy?

Mr. CHAMBERLAIN. He was at that time in full charge of the ministry of finance. He was not minister of finance, but he was called subsecretary of finance.

Now, I will pick out as a third example the occasion when President Wilson made a speech before a delegation of twenty odd Mexican newspaper men here in Washington. I will not attempt to quote from that speech, but I will say it contained a reiteration of the assertion that no matter what occurred, this country would never exercise force against a weaker nation. The speech was cabled to Mexico and really produced a remarkable impression. People were really inclined to take it as evidence of a new friendly understanding between Mexico and the United States. Carranza immediately dug out our note of April 2, 1918, the only fighting note that the Wilson administration, for a very real reason, was forced into writing, and published it in the papers without any reference to the ambassador and without any comment whatever. That was the most complete answer he could possibly have given to the speech made by President Wilson, because anyone comparing the terms of the note with the speech made before the newspaper men by the President, had to take off his hat to Carranza. He won hands down.

Those are only three of his open unfriendly acts, each one growing in importance. That publishing of our note of April 2, before it had been answered and without asking the customary permission that is given by other countries or by their representatives, was a direct slap at the President of the United States, which was further than Carranza had gone at any time previous to that time.

Senator BRANDEGEE. It was probably a breach of diplomatic usage, was it not?

Mr. CHAMBERLAIN. It was also a breach of diplomatic usage.

While conditions were growing worse and worse and more and more outrageous, I have not touched on the oil confiscation, because that is well known throughout the country and has been testified to by a number of witnesses.

The political conditions just simply gave us one blow after another, each one harder than the one that went before it, which I think can be attributed to nothing but our declaration of hands off, no matter what Mexico did; watchful waiting without being watchful and without waiting, because if you don't get to some end you are not waiting; you are stagnant. I think those two policies simply carried the Mexican Government into doing things that they never would have dreamed of doing otherwise, and also gave a strength to Carranza that he never would have acquired if it had not been for his flouting of the United States with absolute impunity. That did more to make Carranza a figure, not only in Mexico but in all South America, than any other feature in his own country or any other country, and added tremendously to his own power. We made Carranza. If it had not been for us he never would have become the figure that he did.

Senator BRANDEGEE. Have you any evidence that there was any such policy as you have alluded to under the term of "hands off of Mexico, no matter what they do"?

Mr. CHAMBERLAIN. Yes; in the speech made by the President to the newspaper men. I can not quote it word for word.

Senator BRANDEGEE. That is accessible. But in your relations to the State Department, are there any instructions, or was there anything that came to your knowledge in the way of our governmental policy, aside from this speech of the President, that led you to think that the administration would not do anything in Mexico, no matter what Mexico would do?

Mr. CHAMBERLAIN. There would be no occasion for such an instruction coming to me, because the embassy was in full swing during all the time I was in Mexico, and no such instructions would be sent to the consuls or consul general under those conditions.

Senator BRANDEGEE. As to Carranza's apparent hostility, what is your explanation of why he should be hostile after the recognition given him by this country?

Mr. CHAMBERLAIN. The explanation is the strength that he found our weakness gave to him. I mean by "our weakness" our pacifism, our absolute quiescence. He found that when he slapped us, these blows increasing in force and willfulness, that with each one of those actions he became more powerful in Mexico. I will cite an instance:

Pablo Gonzales was concerned with the transaction to release the ammunition I spoke of awhile ago. Pablo Gonzales absolutely fell from power and never regained his power from that day on, while Carranza was more powerful than ever from that day. The same thing applied to Nieto. From the day Nieto tried to make that agreement between Fletcher and Nieto, while it seems incredible that anybody would oppose such a thing, yet that very fact caused the downfall of Nieto.

Senator BRANDEGEE. You do not think Carranza's hostility to this country was because he personally felt hostile to this country, but because he found by pretending to be hostile to this country it strengthened him in Mexico?

Mr. CHAMBERLAIN. I believe that was the major cause. I will say there are very few Carranza officials who have not a perfectly genuine touch of race hatred, in this way, that it comes from another period. I do not mean they hate the American because he is an American. The personal relations between Americans and Mexicans were excellent, but the mere fact that the Mexicans have no industry in their whole country to-day that is not capitalized and run by foreigners, and no two Mexicans will ever go into partnership in any constructive enterprise without an American who holds the money; that it is well known in their heart of hearts that they have no dynamic energy, is at the foot of all this great hatred.

Senator BRANDEGEE. It is also apparent, I would judge from that statement, that they distrust each other?

Mr. CHAMBERLAIN. They do.

Senator BRANDEGEE. What is the date of the speech the President made to the 20 newspaper men from Mexico?

Mr. CHAMBERLAIN. I do not remember the exact date, but our note of April 2d had been in the hands of Mexico's foreign affairs office for possibly two months. Consequently, it must have been more or less about June 1, 1918.

The CHAIRMAN. I have that note of the Government of April 2, 1918, followed by a very strong protest of August 12, 1918, in which it is set forth that they never had an answer from the Mexican Gov-

ernment to the note of April 2, which brought from Carranza the statement "If that means war, I am prepared for it."

Senator BRANDEGEE. Is that embraced in the record?

The CHAIRMAN. It is not as yet.

Senator BRANDEGEE. I should think that ought to be in the record.

Mr. CHAMBERLAIN. I think those two branches of development, the commercial and the political development, bring us up to the period of August, 1919, when I finally decided that I would prefer to resign from the service, although it was the only profession I have ever undertaken, and being in a position to write and say what I thought about conditions in Mexico.

You asked me some time ago, Senator Brandegee, whether this condition was ever pointed out to the Government or State Department, and I said I would lead up to it. I will say that I very emphatically pointed out to the department in at least one dispatch that if they publicly announced they would never resort to force, no matter what Mexico did, that immediately swept the foundations from the personal standing of every representative in Mexico, and that he became thoroughly ridiculous, and consequently I saw no chance for any representative to continue there. That point I know was very frequently borne in upon the department. You tell a man you will never hit him, no matter what he does, you put yourself in a position of weakness, because he is not bound not to hit you because you have tied your hands. That is what happened to us there time and again and made it impossible and ridiculous that a respectable man could continue to draw money for holding down a job in that country.

Senator BRANDEGEE. They found somebody to do it, though, did they not?

Mr. CHAMBERLAIN. I do not believe that any man in Mexico City to-day has crossed what you might call the new territory that lies between the man in official life and personal life. That is, an official representing the Government is under orders to do what his Government instructs him to do, but when his Government instructs him to do certain things that he can not stand for personally, when it gets to that point where he says, "That is all right; I have been in office and I have been carrying out the instructions of the Government, but now it has come to a point where I will not do this, because I will be too dirty in my own eyes"—when it gets to that, where he has to become an individual and not an official, the only way to do that is to give up his official position.

Senator BRANDEGEE. Who succeeded you?

Mr. CHAMBERLAIN. I do not know that anyone has gone to Mexico City. But when I make that assertion, I say there is a perfectly legitimate new territory that an official has a right to consider himself as the representative of his Government, carrying out his Government's instructions, and it is incredible that the man who succeeded me can know of the conditions that I knew about. Consequently, I do not mean any aspersions on any official who happens to be in Mexico at this time.

I think that concludes more or less the conditions as they were up to August, 1919. But while events have moved rather rapidly in the last few weeks I would like to point out that the condition of things, the danger and continued unrest in Mexico, is practically the

same to-day as when Carranza was in power, for the simple reason that we have no assurance whatever that the maladministration of public funds is going to disappear.

That, Mr. Chairman, brings me up to the point where I have covered more or less the situation up to date. Are you interested in any comment on what I think is the way out?

The CHAIRMAN. Yes. But first I might ask you a few questions as to what you know specifically of conditions affecting Americans attempting to operate in Mexico in any line, to which I had reference when I asked you if you proposed to comment upon the industries of Mexico. For instance, take the oil development of Mexico. Of course, it is in testimony here that in the Tampico and Tuxpam districts, the Americans and foreigners and others engaged in the development of the oil industry have been paying, at least Palaiez, if not directly to the Mexican Government, large sums of money for protection. There are other Americans interested in mining and various enterprises in Mexico. Do you know whether or not any of them are compelled to purchase protection?

Mr. CHAMBERLAIN. Yes, sir. That carries us back, Mr. Chairman, if I may, to what happened to American industry as a whole in Mexico.

The CHAIRMAN. That is what I have reference to.

Mr. CHAMBERLAIN. What are the classes of Americans who occupied Mexico, and what is the class, generally speaking, that occupies it to-day?

If we go back far enough, you can remember the tremendous impression that was made in that country by one of the President's speeches, in which he labeled all Americans interested in Mexico under a general blanket term of being connected with big interests. I think that one assertion did more harm, caused more damage to us in Mexico, than all other assertions, for the simple reason that, coming from the President, it reached such a tremendous number of people, and immediately killed any interest that they had in the protection of Americans or American interests in Mexico.

As a matter of fact, the people who were driven out of Mexico, the Americans who left Mexico, were the small industries, small farmers, employees; and the big interests which were established there are there to-day, just as strong as they ever were.

The CHAIRMAN. How have they been able to maintain themselves?

Mr. CHAMBERLAIN. They have not only been able to maintain themselves but some of them have been able to say they do not wish the conditions changed, because they suit them very well. I was talking to one of the officers of a large concern down there, and he told me that, and I asked him very frankly: "How can you say that you want no intervention in Mexico of any kind—economic or military?" And he said: "Well, between ourselves, it is a very simple matter. Where our interests touch the bandits, we pay the bandits; where they touch the Carranzistas, we pay the Carranzistas. As a result, we are sitting at a freeze-out table, and nobody can come into that table but us. We are here. We pay the price and we get everything cheap and have no competition."

That can be applied to several different branches of business in which the lack of competition makes up for or more than compensates for the amount of money they spend for protection. The whole question there is a difficult situation. It is not like you were paying an exorbitant amount to Palaez every month for protection and at the same time paying taxes to the Carranza Government.

Senator BRANDEGEE. While you were there in Mexico, did you travel around the country outside of Mexico City?

Mr. CHAMBERLAIN. No, sir. I made three trips to the United States, two of them by way of Laredo and one by way of Vera Cruz. I was there during the period of the war, when we were very busy indeed, and I had no opportunity to take the time to travel around Mexico, even if it had been feasible to do so. I will say that outside of the railways I traveled on, the others were subject to occasional attack.

Senator BRANDEGEE. From your position there as consul general, were you familiar at all with agricultural conditions in the country?

Mr. CHAMBERLAIN. Only in this way, that during the war, I should say probably toward the end of 1917, possibly later than that, there was a famine reported all over Mexico, and a very strong appeal was made to the consul general to facilitate the importation of corn for the relief of the starving Mexicans. The Department of State instructed me to make an investigation as to the truth of the assertion of the famine, and that investigation was very thorough and very extensive, and was backed up by personal visits to a good many of the haciendados—the large planters.

Senator BRANDEGEE. What was the condition?

Mr. CHAMBERLAIN. The condition was one of famine, one of imminent famine. There was a real threat of famine. There was a tremendous scarcity of corn. The price went up to three or four times what was normal, and there is no doubt in the world that there was a famine threatened, and as a consequence the United States released a million bushels of corn to Mexico.

Senator BRANDEGEE. To what was it due?

Mr. CHAMBERLAIN. Crop failure, lack of rain, drouth. It was also due to the unsettled condition of the country. That had a great deal to do with it.

Senator BRANDEGEE. Do you know what are the agricultural conditions there to-day?

Mr. CHAMBERLAIN. I can not speak for that, because I have not kept up with the record since I left there last August.

Senator BRANDEGEE. You spoke about having an opinion about what you called the way out. What do you think is the policy that should be followed by the Government?

Mr. CHAMBERLAIN. Senator, I think that we are in real danger to-day, a danger that the general public is not in a position to appreciate, and that danger is that we will enter into friendly negotiations and relations with some new head of Mexico, without taking advantage of the peculiar conditions that exist and make a complete change in our entire policy toward that country.

The result of the last seven years has been to wipe out every precedent in regard to the machinery of dealing with a foreign country—that is, we have not protected our interests, we have not protected

our Nation—we have declared that we will not resort to force, no matter what happens, and as a result there can be no negotiation unless we have a complete working machine. It is not only wrecked but wiped out, and consequently we have a chance to start in on an entirely new basis.

I think it is of the greatest importance that we should hold off until we can absolutely foresee a permanent settlement of the Mexican question, and that is nothing short of economic control.

Those words, "economic control," would naturally be a red rag to Mexico, but they have flouted so many red rags in our face that it can not do any harm to flout one in theirs. If it is considered carefully it will be seen it is not only an advantage to our relations with Mexico but to the advantage of every man, woman, and child in Mexico. What lies at the very root of the disturbances in Mexico is maladministration of public funds.

Now, whoever comes out on top in the present struggle in Mexico will require what has been rather carefully estimated as \$350,000,000 in addition to the resources of the country to put that country on a perfectly good financial standing with the entire world. It may be surprising to know, much less realize why, that Mexico to-day is one of the strongest financial countries in the world, for the simple reason that she has never been able to borrow a cent. Since the loan that was made to Madero and first collected under Huerta she has never been able to borrow abroad. As a result she is more or less in a sound condition. She could recuperate very rapidly if she were given the chance of having a government which spends its funds not for paying an army that does not wipe out banditry, but spends those funds in meeting its foreign obligations, meeting claims, indebtedness, wiping out banditry, and reconstruction, and, most important of all, a proper system of education. She needs that money, and I do not see any reason why we should not swerve from the policy we have followed for the past seven years and say that she will either take that money and accept some sort of control to see that that money is properly spent, or else we will take certain graduated steps of pressure until she does.

Those steps of pressure, it seems to me, should have the effect of settling the question. I have written these seven steps out in the course of a series of articles I am writing for *Colliers*. The first step is refusal to send an ambassador; the second is to withdraw our recognition; the third is an embargo on loans, private or governmental; the fourth is an embargo on exports and imports; the fifth is the closing of every channel of commerce by which they get business; sixth, naval demonstrations; seventh, military occupation.

That is what I have termed a system of graduated pressure. It allows them to get off whenever they want to get off. We start it mildly and end very strongly.

Of course, that system of pressure is open to the charge that it ends up with military occupation. While I personally believe we could find some leader in Mexico who could accept those terms, and whom we could back up with funds, arms, and ammunition; if we could not find any such leader, ultimately it will come to military occupation.

Senator BRANDEGEE. Suppose out of this revolution that is now in progress there should come some one person into power, who exer-

cises sufficient control over the people of his country to warrant us in recognizing him, to a certain extent, at any rate, and making such an agreement with him as you have indicated, or a treaty by which, in consideration of the fact that we advance \$350,000,000, they will agree to see that it is expended in certain ways, suppose they should agree to that treaty, what, in your opinion, would be the effect on the Mexican people? Would they back up their executive who would make that kind of a treaty with the United States?

Mr. CHAMBERLAIN. When you speak of the Mexican people, Senator, I presume you mean the 10 per cent of the population of Mexico that can read and write, and which is now at the top. Is that what you mean?

Senator BRANDEGEE. No. What I mean is this: Suppose that out of this present revolution some one leader finally gets on top, who is stable enough to make an agreement with us, will not the mere fact that he has made such an agreement as you have indicated, cause some of the others to say that he is unpatriotic and has not at heart the best interests of Mexico, because he has made that treaty with the United States?

Mr. CHAMBERLAIN. That would not be true if, after seven years of telling them we will do nothing, there is a possibility of making them believe that we absolutely mean business. I think if we would make them believe that, from one end of the country to the other, they would accept that sort of a proposition. There would be a lot of talk against it, of course, a good deal of talk about invasion of sovereignty and divided nationality, and things of that kind, but if we could make them believe it was inevitable, and they had to swallow the pill, I think they would do it. I would say that 80 per cent of Mexico is naturally pacific. If you leave those Indian tribes alone you will have no trouble with them. There are something between 30 and 50 different tribes, many of them having different dialects. There is a large mixture of Spanish blood that largely dominated the affairs of Mexico for many years, and there is no reason why it should be considered the Mexican nation. It is merely a fraction of the Mexican nation, the people that can read and write. As I say, there will be a very great uproar, not only against the United States, but against any President of Mexico that tried to put that over, but you must remember that we are going to give this man funds, arms, and ammunition, so it will not make a great deal of difference whether there is an uproar or not.

Senator BRANDEGEE. How long would it be under your plan, as you have indicated it, if we furnished them that money, accompanied by what you call economic control by us, before we could safely relinquish that control? Have you any idea as to how long it would take them to establish themselves, so they could conduct their government in an ordinary way?

Mr. CHAMBERLAIN. I think we have an excellent parallel to that in the administration of the Philippines. While we have not handed that government back to the Filipinos, they are rapidly advancing to a point where we will be justified in handing it back.

That carries us right down to the deep roots of education. Every revolutionist in Mexico has always made education of the common people and division of land his prominent issues. Those are the two things they have always harped on. But, as a matter of fact

the last thing that this supposedly altruistic Government of Carranza's has done is to pay its school-teachers who have been engaged in educating the people.

There are certain features of this program of economic control, the objects aimed at, that would naturally lift the country to an entirely new basis. One is the wiping out of banditry. That sounds, after all these years, as though it would be difficult. As a matter of fact, there never has been any intention to wipe it out. I do not know of any people in the world that can get up a more perfect corps of men to keep the public order than the rurales of Mexico, such as the Texas rangers were in our country, such as the mounted police of the Canadian Northwest. You could get large bodies of first-class men just as rapidly as you could in this country, by simply paying them and telling them if banditry was not wiped out they would lose their jobs.

If the bandits were cleaned out, the peons could go back to their homes, people could resume their business of various kinds, and an immense amount of money could be directed to reconstruction. We have to-day under the Carranza government 60 per cent of the entire revenues paid to the military, and not 6 per cent to reconstruction. Just reverse that, and you will immediately find employment for a tremendous number of men, and increase the wealth of the country. Of course, in conjunction with that must be some system of education, whereby the teachers may be paid for the work of teaching.

Senator BRANDEGEE. Banditry was wiped out under Porfirio Diaz, was it not?

Mr. CHAMBERLAIN. Absolutely, for 25 years.

Senator BRANDEGEE. Do you think that if banditry was wiped out there, and peace and order were established, the Mexican people have themselves the capacity and character to develop the national resources of the country, so as to make them available to other countries?

Mr. CHAMBERLAIN. Not without getting capital and energy from abroad.

Senator BRANDEGEE. How would you know anything about the views of any other country as to our assuming economic control in Mexico in the manner you have suggested?

Mr. CHAMBERLAIN. Well, I think that we have given a good deal too much weight to the feelings of other countries as to what we should do in Mexico. The effect of our keeping our hands off of Mexico and being benevolent to Mexico has been to make us despised in Mexico, and I believe despised in every other country in Latin America. Latin Americans have a tradition of calling us a threatening power.

Senator BRANDEGEE. I do not blame them, if they think we are threatening to absorb their territory, from protesting against that, but do they consider it a threat if we want our business interests protected there?

Mr. CHAMBERLAIN. No; but they have a strong tradition, that goes far back, that the United States has had the intention to absorb all of the Western Hemisphere, and that tradition does not die out very easily. You will find it in Colombia and Brazil and Argentina to be a very strong tradition.

Senator BRANDEGEE. Do you think they really believe that, or is it that they simply have a vague fear of it; do not know whether it is coming or not, but are afraid that it might come?

Mr. CHAMBERLAIN. I think that they do not believe that we are about to absorb them in the sense of annexing them, or anything of that kind, but I think that they do think that sooner or later inevitably our influence will be felt to a certain extent through Mexico and Central America.

Senator BRANDEGEE. That is a popular card for the demagogues to play in those countries, is it not?

Mr. CHAMBERLAIN. Yes. For many years it was called "en fantasma." Everybody knew it was a spectre.

Senator BRANDEGEE. I remember in the early days of the disturbances in Mexico, after the present administration came into power in this country, that it was frequently stated by the press that if we did not take steps to protect and restore order in Mexico some European nation was likely to do it themselves. What is your opinion as to whether European nations would be satisfied if we took steps to establish order and protection to life and property in Mexico? Do you think they would protest against it?

Mr. CHAMBERLAIN. Would they protest against our taking steps to do that?

Senator BRANDEGEE. Yes.

Mr. CHAMBERLAIN. Well, I believe it is a matter of almost public knowledge that we have held a mandatory for Mexico for seven years, at least, and with the knowledge and consent of Great Britain and France, I think, in black and white. The whole tendency of both Great Britain and France has been to give us just as absolute a mandatory over Mexico as has been proposed to us for the control of Armenia.

Further, in regard to a mandatory of Mexico, we have tried the policy of no force, and things of that kind, and it has been an accumulating shame for seven years. Consequently, your question, Senator, as to what would be the stand of European nations, I think that they would be delighted, and the only expression they would make would be one of surprise that any sensible government could have delayed taking that step so long.

Senator BRANDEGEE. You think that they would like to have us restore security to life and property there, do you, then?

Mr. CHAMBERLAIN. Absolutely. There is no doubt on that point. There can be no doubt on that point. I would go further than that, and say that not only would Great Britain and France, but Spain and probably Italy also have reason to hope that we would straighten things out down there.

Senator BRANDEGEE. Do you regard Mexico as a very rich country in national resources?

Mr. CHAMBERLAIN. I regard it as intrinsically the most wealthy country I have ever visited; and that makes the tragedy of 100 years of torment and misery all the more glaring. The mere fact that that country could support all of its populace in affluence and has been the scene of misery which exceeds anything in Armenia, added to the fact that we have been responsible for an increase in that misery during the last seven years by standing back of an oligarchy engaged in banditry, is something that we ought to take

into account when we try to justify ourselves in taking such an extreme measure as economic control.

Senator BRANDEGEE. What have you to say, if anything, about the policy which we featured when we declined to recognize Huerta, to wit, that an administration must be put in power which, among other things, would divide up the lands among the people? What are the facts in relation to the possibility of dividing up the lands and the public desire to have them divided up?

Mr. CHAMBERLAIN. The facts as to the division of lands under the Carranza Government are these: That in one case, of a man whom I have every reason to believe, the division of the land was merely a matter of paying a man given supervision of that division a bribe to see that they were not divided. That leads us right back to what I said was the source of all the misery in Mexico. That is the condition of apathy that exists in the administration of public affairs and particularly public funds. There are instances which later on can be brought to light of many people not having their farms divided up, simply by payment of graft. Consequently that altruistic view of the Carranza régime, under the constitution of 1917, to divide those lands, simply became one more club to extort blackmail from people who owned property.

Senator BRANDEGEE. That may be true, but what I mean is, what have you to say as to the wisdom of a bona fide, well administered policy of dividing up the lands? Do the people want them divided up? Is the same opinion prevalent all over Mexico, or is it just certain people would like to have them divided up by the Government and other parts do not care anything about it? What is the fact about that?

Mr. CHAMBERLAIN. Well, Senator, that is a tradition that has gone back through many revolutions. The fact that almost every revolutionary leader in the last 100 years in Mexico has made that one of his promises, that he would divide the land, goes to prove there must be a desire for division of the land among the peons. I think it would be a good thing, with proper provisions for expropriation, and would be a great advantage to see that every man was allotted a homestead under fair and equitable conditions.

Now, that matter of expropriation you would have to provide for in the constitution. There is one case of an enormous American concern which was having some trouble when I left Mexico. The Mexican Government said: "Yes; your titles are perfectly good, but we are going to take those lands and divide them and give you bonds." I would say if it had been a cash indemnity it might be very well, but a Mexican bond is so much waste paper.

Senator BRANDEGEE. You say you do not know anything about present conditions in Mexico, except what you read?

Mr. CHAMBERLAIN. Well, no, Senator. I left Mexico nine months ago. I left there the 1st of August. Consequently, while there have not been very great changes, still I am not informed regarding what there have been.

Senator BRANDEGEE. Nine months ago, when you left, what was the condition of the people in the City of Mexico, as to their health, and whether they had enough to eat or not, and their condition of life?

Mr. CHAMBERLAIN. At the time I left there was really no misery whatever. Their crop had been very good, and the Mexican people

are very quick to recuperate. A few months previous to my leaving it was a common sight to see three or four hundred men, women, and children lying in the streets in Mexico waiting for certain soup kitchens to open in the morning, and those people were on the verge of actual starvation.

Senator BRANDEGEE. Was there much disease among the people?

Mr. CHAMBERLAIN. I would say that the average of disease in Mexico is considerably higher than it is in this country, and especially the more vicious diseases that are in the blood.

Senator BRANDEGEE. Are you speaking of the City of Mexico or of all of Mexico?

Mr. CHAMBERLAIN. I am speaking more especially of the City of Mexico. For the rest of the country, I can only speak from hearsay.

Senator BRANDEGEE. Do you know anything about the effect that seven years of banditry and revolution, or so-called revolution, has had upon the physical condition of the railroads of the country?

Mr. CHAMBERLAIN. I can not speak offhand as to the enormous amount of rolling stock which has been destroyed during that period, but I would say that during one of the years I was in Mexico I was told that there had been 45 trains dynamited on the road between Vera Cruz and Mexico City within a period of three months, with a large destruction of rolling stock. That is the line that has perhaps suffered more than any other, but it is a matter of fact that during all the time that I was there there were only two lines that were considered to be safe—the line to Vera Cruz and the line from Mexico City to Laredo, and yet the line to Vera Cruz had 45 trains dynamited in three months. There may have been more, but there was one train that I remember dynamited between Laredo and Mexico City during the two years that I was there. That line was kept pretty well guarded. I should say that the condition of the railways, as compared to what they were before the revolution took place, would be heartbreaking to the people who were over them at the time of Diaz's downfall.

Senator BRANDEGEE. Do you know anything about whether the farmers through the country generally, where these conditions of banditry exist, have planted and harvested their crops in safety and are continuing to do so?

Mr. CHAMBERLAIN. They certainly have not. Mexico City, during all the time I was there, was more crowded than it had ever been before in its history, and that was accounted for to me in this way, that the planters in the various States had had to abandon their plantations and crowd into Mexico City to live. I will say that the entire State of Morelos was wiped out as an agricultural State, and that practically the same could be said of Oaxaca, and the same is true of various other outlying districts. They say their cattle and horses and mules are killed, either by Carranza soldiers or by some one or another of the bandit troops.

The CHAIRMAN. I just call the attention of my colleague to the fact that there has not yet been printed in the record a piece of evidence before this committee of a large number of Mexicans who have come to the United States very recently. There is a list of 812 individuals who have been examined by the committee recently on the border, under oath, some of this evidence having been adduced as late as March last, with reference to these people coming over in

hundreds. As near as can be estimated by the immigration authorities, the Texas Rangers, and others, it is said that between El Paso, Tex., and Brownsville, Tex., in a period of approximately three weeks in February and March, and particularly on March 1, the time this testimony was taken, on the 19th, approximately 50,000 Mexicans had crossed the border this year.

That is shown by their own testimony and by the statements of witnesses given in this list; and coming from the States of Michoacan, Guerrero, Colima, Mexico, and Jalisco, in the central and southern portion of Mexico; and that their statements were all practically and substantially the same with reference to that condition. They say they can not do anything over there; if one side does not take it away from them the others will, and they do not know one from the other; sometimes they do not know the Carranza people from the Villa people. They can have nothing. It is taken away from them. If they get a few dollars in clothing, or anything, a party of those bandits will come along and take it away from them. They said that the Carranza people were worse than the Villa people. Several of them said the Villa people would leave them something to eat, but the Carranza people would take it all. They said the Villa people would divide with them but the Carranza people would not, they would take it all.

This is from the testimony of S. E. Rix taken at San Antonio, Tex., on March 19, 1920. The witness was asked:

From the statement you have just made I infer that the property owners themselves have given up any attempt to farm their properties or to raise crops, for the reason that when they get these crops to the point of harvesting they are taken away from them by some one or other of the armed factions in Mexico?

The witness replied:

Yes, sir; that is just exactly what these poor working people who come here say, several of them I have talked with, some of them I have not talked to, but they say they can not raise anything; that when the corn got up to roasting ears or anything like that they would come along and cut it down and take it away, take it off.

And then the question was asked:

"And for that reason the big land owners themselves have abandoned any attempt to raise crops." To which the witness replied, "Yes."

The general trend of all that testimony shows to the same effect; that the political conditions down there for the last 10 years have been so disturbed that people of Mexico, the working people, are getting tired. At least 2,000 of them have come out, leaving their families behind them, because they could not bring them with them; they had to leave their families to perhaps starve, and they came out to try to get something to do, with the hope that they might be able to eventually bring their families out into the United States. Practically every one of them stated they would not return to Mexico again.

Senator BRANDEGEE. I understand that testimony has been taken on the border. I am glad to have it put in the record at this point also. I wanted to get Mr. Chamberlain's notion about it also.

Mr. CHAMBERLAIN. I will say that the condition has gone further than the mere matter of farms in Mexico; that it has wiped out 90

per cent of the industries of that country, except those small industries which can be carried on by one man or one man and his family.

Senator BRANDEGEE. Not big enough to blackmail.

Mr. CHAMBERLAIN. That is the idea.

The CHAIRMAN. You stated generally that the United States practically had a mandatory for Mexico for several years past. I suppose you have a basis for that statement. I want to call your attention to the statement of the President of the United States to the Congress of the United States, on August 27, 1913, in which he said:

We are expected by the powers of the world to act as Mexico's nearest friend.

I am happy to say that several of the great Governments of the world have given this Government generous moral support in urging upon the provisional authorities at the City of Mexico the acceptance of our proffered good offices in the spirit in which they were made.

All the world expect us in such circumstances to act as Mexico's nearest friend and intimate adviser.

This consent of mankind to what we are attempting, this attitude of the great nations of the world toward what we may attempt in dealing with this distressed people at our doors, should make us feel the more solemnly bound to go to the utmost length of patience and forbearance in this painful and anxious business.

Also a statement by Secretary Bryan, on October 28 the same year, published in the New York Times, dated Washington, October 28:

A new and probably more definite Mexican policy is to be initiated by the United States, and pending the disclosure of this program, Great Britain, Germany, and France have given assurances that they will take no action.

That a request had been made to the powers to await a proposal regarding Mexico from this Government and that already these three European nations had acceded to the request was announced late to-day by Secretary Bryan. It is understood that practically every civilized nation has been notified of the purpose of the United States.

Senator Bacon, the then chairman of the Committee on Foreign Relations of the Senate, on October 25, made a statement from which I quote:

The approval of foreign governments of its policy in Mexico was desired by the United States which would always be glad to listen to suggestions. But it should be understood that the United States would adhere to the views it held with regard to Mexico on the ground that its interest in that Republic was much broader and comprehensive. Its interest, he said, was not merely material, but involved moral considerations that gave it a superior position.

Now, I want to ask you, Mr. Chamberlain, as you are familiar more or less with Mexican history, whose name is always referred to as the "Liberator"?

Mr. CHAMBERLAIN. Juarez. I should say.

The CHAIRMAN. Benita Juarez?

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. I ask that because I was interested in the question asked by my colleague in regard to the impression which would be created upon the masses of the Mexican people, were any Mexican leader approached by the United States to agree that he would accept friendly assistance from the United States and enter into an agreement by which the two countries could work in harmony, with this country securing certain rights and privileges in Mexico in return for its assistance. The fact is that such an agreement has been entered into in the past. There is to-day in existence a treaty between the United States and Mexico, from which I want to read

one section into the record, because it seems to have been lost sight of by the American people, and I want to call attention to it in a preliminary way before calling specific attention to the acts of Benita Juarez upon practically that same subject. I will read article 8 into the record :

The Mexican Government having on the fifth day of February, 1853, authorized the early construction of a plank and rail road across the Isthmus of Tehuantepec, and, to secure the stable benefits of said transit way to the persons and merchandise of the citizens of Mexico, and the United States, it is stipulated that neither Government will interpose any obstacle to the transit of persons and merchandise of both Nations ; and at no time shall higher charges be made for the transit of persons and property of citizens of the United States, than may be made for the persons and property of other foreign Nations, nor shall any interest in said transit way, nor any of the proceeds thereof, be transferred to any foreign Government. ,

The United States, by its agents, shall have the right to transport across the isthmus, in closed bags, the mails of the United States, not intended for distribution along the line of communication ; also the effects of the United States Government or its citizens, which may be intended for transit, and not for distribution on the isthmus, free of customs house or other charges by the Mexican Government. Neither passports nor letters of security will be required of persons crossing the isthmus and not remaining in the country.

When the construction of the railroad shall have been completed, the Mexican Government agrees to open a port of entry, in addition to the port of Vera Cruz, at or near the terminus of said road on the Gulf of Mexico.

The two Governments will enter into arrangements for the prompt transit of troops and munitions of the United States, which that Government may have occasion to send from one part of its territory to another lying on opposite sides of the continent.

The Mexican Government having agreed to protect with its whole power the prosecution, preservation, and security of the work, the United States may extend its protection as it shall judge wise to it, when it may feel sanctioned or warranted by the public or international law.

The CHAIRMAN. That is in full force and effect. Now, in January, 1860, there was presented in the Senate of the United States a public treaty, well known in Mexico and acted upon in this country. That treaty was ordered printed for the use of the Senate, was never acted upon by the Mexican Government and the United States, but it was negotiated by the great liberator, Juarez. Among other things, it provides :

Whereas the ratifications of a treaty of amity, commerce, and navigation were exchanged between the United States of America and the United Mexican States on the 5th of April, 1831 ; and whereas the ratifications of a treaty for the alteration of boundary and regulations of a transit or right of way across the Isthmus of Tehuantepec were exchanged between the same two Republics on the 30th of June, 1854 ; and whereas it is deemed expedient to amplify and extend some of the stipulations of the aforesaid treaties, and thus render more firm and inviolable the true and sincere friendship now existing between the United States and Mexico :

Wherefore the following stipulations have been agreed upon by means of a treaty of transits and commerce :

For which important object the President of the United States of America has appointed Robert M. McLane, a citizen of the United States, and envoy extraordinary and minister plenipotentiary of the United States of America near the Mexican Government, with full powers ; and the President of the Mexican Republic, in the exercise of the executive power, having conferred like full powers on the citizen Melchor Ocampo, secretary of state and foreign affairs ; and the aforesaid plenipotentiaries, after having compared and exchanged in due form their respective powers as aforesaid, have agreed upon the following articles :

ARTICLE I. As an amplification of the eighth article of the treaty of the 30th of December, 1853, the Mexican Republic cedes to the United States and its citizens and property, in perpetuity, the right of way, by the Isthmus of

Transportation from one point to the other, by any kind of land now existing or that may hereafter exist, with Republics and their citizens enjoying it.

ART. II. Both Republics agree to protect all routes now existing or that may hereafter exist, over the said isthmus, and to guarantee the neutrality of the same.

ART. III. Simultaneously with the first year for use of this route across the said isthmus for purposes of normal transit, the Republic of Mexico shall establish two ports of deposit—one on the east, the other on the west of the isthmus. No port shall be subject to the Government of Mexico, from foreign effects and merchandise which may pass over any of the said isthmuses, and which may not be introduced into the consumption of the Mexican Republic. No merchandise of this kind shall be introduced into the ports and property which may pass over this route, beyond those that may be introduced into the persons and property of Mexicans. The Republic of Mexico will continue to know the free and international transit of the goods of the United States, provided they pass in vessel and cargo, and they shall be free to land on the coast. The said goods shall be of the classes introduced by those which may be introduced into the said ports.

ART. IV. The Government of Mexico agrees that it will establish for each of the two ports of deposit, one on the east, the other on the west of the said isthmuses, warehouses and a depot for the effects and merchandise belonging to citizens, residents of the United States or of any foreign country, to be deposited in the said warehouses, which shall be opened for that purpose, free of all duties of other duties whatever, except the necessary charges for storage and service, which said effects and merchandise may be subsequently withdrawn for transit across the said isthmus, and for shipment from either of the said ports of deposit to any foreign port, free of all tonnage or other duties whatever, and they may likewise be withdrawn from the said warehouses for sale and consumption within the territory of the Mexican Republic, on the payment of such duties or imports as the said Mexican Government may be pleased to exact.

ART. V. The Republic of Mexico agrees that should it become necessary at any time to employ military forces for the security and protection of persons and property passing over any of the routes aforesaid, it will employ the regular force for that purpose; but upon failure to do this, from any cause whatever, the Government of the United States may, with the consent or at the request of the Government of Mexico, or of the minister thereof at Washington, or of the competent legally appointed local authorities, civil or military, employ such force for this and for no other purpose; and when, in the opinion of the Government of Mexico, the necessity ceases, such force shall be immediately withdrawn.

In the exceptional case, however, of unforeseen or imminent danger to the lives or property of citizens of the United States, the forces of said Republics are authorized to act for their protection without such consent having been previously obtained; and such forces shall be withdrawn when the necessity for this employment ceases.

ART. VI. The Mexican Republic grants to the United States the simple transit of its troops, military stores, and munitions of war by the Isthmus of Tehuantepec, and by the transit or route of communication referred to in this convention from the city of Guaymas, on the Gulf of California, to the Rancho de Nogales or some suitable point on the boundary line between the Republic of Mexico and the United States near the one hundred and eleventh degree, west longitude from Greenwich, immediate notice thereof being given to the local authorities of the Republic of Mexico. And the two Republics agree, likewise, that it shall be an express stipulation with the companies or enterprises to whom hereafter the carriage or transportation is granted, by any railroads or other means of communication on the aforesaid transits, that the price for conveying the troops, military stores, and munitions of war of the two Republics shall be, at most, one-half the ordinary fare paid by the passengers or merchandise which may pass over the said transits; it being understood that if the grantees of privileges already granted, or which hereafter may be granted, upon railroads or other means of conveyance over said transits, refuse to receive for one-half the price of conveyance the troops, arms, military stores, and munitions of the United States, the latter Government will import to them the protection spoken of in Articles II and V, nor any other protection.

ART. VII. The Mexican Republic hereby cedes to the United States in perpetuity, and to their citizens and property, the right of way or transit across the territory of the Republic of Mexico, from the cities of Camargo and Matamoros, or any suitable point on the Rio Grande, in the State of Tamaulipas, via Monterey, to the port of Mazatlan, at the entrance of the Gulf of California, in the State of Sinaloa, and from the Rancho de Nogales, or any suitable point on the boundary line between the Republic of Mexico and the United States near the one hundred and eleventh degree, west longitude from Greenwich, via Magdalena and Hermosillo to the city of Guaymas, on the Gulf of California, in the State of Sonora, over any railroad or route of communication, natural or artificial, which may now or hereafter exist or be constructed, to be used and enjoyed in the same manner and upon equal terms by both Republics and their respective citizens, the Mexican Republic reserving always for itself the right of sovereignty which it now has upon all the transits spoken of in the present treaty. All stipulations and regulations of every kind applicable to the right of way or transit across the Isthmus of Tehuantepec that are or have been agreed upon between the two Republics are hereby extended and applied to the foregoing transits or rights of way, excepting the right of passing troops, military stores, and munitions of war from the Rio Grande to the Gulf of California.

ART. VIII. The two Republics likewise agree that from the list of merchandise here annexed the Congress of the United States shall select those which, being the natural, industrial, or manufactured product of either of the two Republics, may be admitted for sale and consumption in either of the two countries under conditions of a perfect reciprocity, whether they be considered free of duty or at a rate of duty to be fixed by the Congress of the United States; it being the intention of the Mexican Republic to admit the articles in question at the lowest rate of duty, and even free if the Congress of the United States consents thereto. Their introduction from one to the other Republic shall be made at the points which the Governments of both Republics may fix upon at the limits or boundaries thereof ceded and granted for the transits, and in perpetuity, by this convention, either across the Isthmus of Tehuantepec or from the Gulf of California to the interior frontier between Mexico and the United States. If any similar privileges should be granted by Mexico to other Nations at the termini of the aforesaid transits upon the Gulfs of Mexico and California and upon the Pacific Ocean, it shall be in consideration of the same conditions and stipulations of reciprocity which are imposed upon the United States by the terms of this convention.

Senator BRANDEGEE. What is the date of that?

The CHAIRMAN. 1860, entered into in 1859.

Senator BRANDEGEE. What is the date of the treaty of Guadalupe Hidalgo?

The CHAIRMAN. 1848; and the treaty of Gadsden was in 1854, containing this agreement.

Benita Juarez has never lost his prestige in Mexico by virtue of the fact that he entered into that treaty, has he.

Mr. CHAMBERLAIN. Not that I know of.

The CHAIRMAN. His birthday is celebrated every year in every little village and hamlet in Mexico, is it not?

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. He is called the "Liberator of Mexico," or the "Lawgiver of Mexico"?

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. Then, if the Mexican citizens approved the acts of Benita Juarez, or have at least tacitly given their approval, if a real patriotic Mexican citizen of the present day should enter into a similar agreement with the United States, or an agreement of the character you have suggested, with reference to financing Mexico, except through the mouth of demagogues, would there likely be any objection on the part of the Mexican people?

Mr. CHAMBERLAIN. I think that while they do not dare say so aloud, that within their hearts they would look upon it as the greatest benefit they could possibly secure.

Mr. BRANDEGEE. The reason I wanted to know about that was because you stated that the more hostile Carranza appeared to be to the United States the more popular he was in Mexico. I wondered whether, if a man tried to be friendly with the United States, it would make him unpopular?

Mr. CHAMBERLAIN. It did not make him popular, it increased his power. In a way it did make him popular, as one who is a champion of the common people, and a champion of the whole Latin America, who dared to take a stand against the colossus of the North. It may have had that effect. But as far as we were concerned it made him more powerful in that it impressed his people with the belief that he could flout us with impunity.

The CHAIRMAN. As a matter of fact, a great part of the people, 10,000,000 out of the 16,000,000, did not know whether he was a friend or an enemy to the United States, and did not care?

Mr. CHAMBERLAIN. Well, you can say that a large proportion of the Mexican people were rather indifferent.

Senator BRANDEGEE. Eighty per cent or about that are Indians, are they not?

Mr. CHAMBERLAIN. I would say that 80 per cent of the Indians is an inarticulate class, a very low development of peons, but they have some excellent qualities. They had a tremendous reputation at one time for honesty, but that has been undermined to a certain extent by this long continuing condition of banditry.

Senator BRANDEGEE. But the peon is Indian, is he not?

Mr. CHAMBERLAIN. There are over 50 various tribes, and they are generally named as belonging to the peon class.

Senator BRANDEGEE. They are not Spanish?

Mr. CHAMBERLAIN. No; they are not Spanish.

This point as to whether the taking of any such step as I have indicated would cause a great outcry takes us right back to a statement which has been made to me frequently by Mexicans, that while they would not say so publicly they are in favor of intervention, that they pray for it every night of their lives; that such a sentiment is tremendous now in Mexico, especially with the merchant class. I don't want to be taken as saying that those people would back intervention. They would not. They would fight against it, but they want it.

Senator BRANDEGEE. You spoke of some of these large American industrial concerns there being perfectly satisfied with conditions as they are, because they get what they want by paying a tribute and keep out competition. What is the general opinion among Americans in Mexico as to the wisdom of letting things go as they are?

Mr. CHAMBERLAIN. There are a great many Americans in all kinds of activities down there who would say that same thing: "I am getting along all right. I am making a revenue out of chaos." But if you take them to one side and say to them, "Is it not the ideal solution to have economic control of the country? Would not that end all the trouble both for Mexico and for us?" I have yet to come across a man who would not immediately reply, "You are quite right on that point."

Senator BRANDEGEE. Then they do not want conditions to remain as they are?

Mr. CHAMBERLAIN. They do not. They are making possibly a very good income out of existing conditions, but at the same time they will admit that the nearest to the ideal that we could accomplish is the shaping up of a firm girder on which the Mexicans can build, and that girder would be economic control, enforced by the power of the United States.

Senator BRANDEGEE. However contented any of them may be temporarily with that condition, they all know that in the nature of things it can not be permanent?

Mr. CHAMBERLAIN. They do.

The CHAIRMAN. They are taking a gambler's chance.

Mr. CHAMBERLAIN. That is true of a great many of our chambers of commerce. One of the greatest difficulties I had in Mexico was to hold down individual investors and chambers of commerce who wished to rush into Mexico and take advantage of high prices, irrespective of the claims of their own blood countrymen whose property had been destroyed and who had been robbed of all that they had. They said, "That is all right. They don't rob me." That opposition is natural. I think the same opposition is threatening us now. I believe some of the biggest interests are dickering at this moment, directly or indirectly, with Obregon or somebody else who thinks he is going to be the top man, and I think if this country does not take measures to stop that tendency it will lose the greatest opportunity we have ever had for putting that country on a firm and settled basis.

The CHAIRMAN. On that line the committee has in its possession a telegram sent from New York City, on the 24th day of October, 1917, from the American Smelting & Refining Co. to its agent in El Paso, Tex., reading as follows:

Garcia now here with Obregon. Is in our employ reporting to ————. States to-day Gen. Murgia has offered to supply all troops necessary for our protection where we resume operations. Please see ———— and arrange through Garcia or otherwise to secure this assistance from Gen. Murgia for Santa Barbara.

The Garcia mentioned is known to the committee as Andreas Garcia, then inspector general of Mexican consulates on the border of this country and Mexico, and being more recently, until the fall of Juarez, the postmaster general of Mexico. This telegram indicates that he was in the employ of an American company, and attempting to secure the services of the Mexican army under Gen. Murgia for the protection of certain of their interests.

Speaking for myself, I have no criticism whatever of the action of the company in sending that telegram. They were attending strictly to their business and the business of their stockholders. They were not being protected by this Government in the operation of their legitimate business, and where they were able to take advantage of the conditions and secure protection by paying for it to Mexican agents, I think it was their business to do it, and I have no possible criticism to offer.

Mr. CHAMBERLAIN. There is no criticism, Mr. Chairman, except this general criticism, and I refer back to the statement I made that under a grafting administration in Mexico, I don't care who heads

the oligarchy, our people were forced into the position of being bribers if they wanted to do business. What we ought to do is to look forward to such a condition where an honest man as well as a briber can do business in Mexico.

The CHAIRMAN. The committee knows of other companies and corporations doing business along similar lines, and there was no intention to make any invidious distinction. I simply pointed out the conditions under which our interests are able to continue business, as additional and corroborative evidence of the fact that you have stated the little man and small American, who has not enough money or influence to employ an army for protection, is the man who suffers.

Mr. CHAMBERLAIN. I made no distinction, because I included everybody doing a successful business in Mexico.

The CHAIRMAN. You have referred to the note sent by this Government to the Mexican Government on April 2, 1917, which was published by Carranza in Mexico, apparently with the intention of answering a speech made by the President of the United States to newspaper men.

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. The committee has a copy of that note of April 2, 1918, which was given publicity by Mr. Carranza, and of course, even under ordinary circumstances, would be justified in calling attention to it. Following that note another was written, under date of August 12, 1912, forwarded to the Mexican Government and delivery, presumably by our ambassador to the Mexican President, sent by Mr. Lansing, in which note, among other thing, the Secretary of State says:

As I have not received an answer to my note of April 2, I am instructed to draw your excellency's attention to that note and to point out again the concern with which my Government entertains as to the possible effect of these various decrees upon the vested rights in Mexico of American citizens in oil properties. And to further direct your excellency's attention to the necessity which may arise, in order to protect the property of its citizens in Mexico, divested or injuriously affected by the said decrees, to impel the United States to protect the property of its citizens.

Now, what impression was made upon the minds of the Mexican people generally by the sending of notes of that kind, in the face of the President's statement that under no circumstances did we propose to use force in compelling Mexico to do anything?

Mr. CHAMBERLAIN. It made notes of that kind utterly of no effect, while making the ambassador who was put in the position of delivering the note ridiculous.

The CHAIRMAN. And it was that condition brought about by these assertions in these notes, and the impression made upon the Mexican people, that caused you to resign from your office?

Mr. CHAMBERLAIN. It was the culmination of those conditions, and the desire to be able to speak freely on the entire subject.

The CHAIRMAN. Do you know what answer Mr. Carranza finally made to the note of August 12, as communicated to this Government?

Mr. CHAMBERLAIN. No; I have never been informed as to the answer.

Senator BRANDEGEE. Did he make any answer?

The CHAIRMAN. We were so informed by Mr. Fletcher under date of August 14.

Mr. CHAMBERLAIN. I remember talking to Mr. Fletcher about that, but I don't remember what happened well enough to quote him.

The CHAIRMAN. A portion of the answer, as forwarded to this Government, was as follows:

I presented in writing the request contained in your telegram 1357, August 12, to the President at an interview this afternoon. In reply he stated that it was impossible to postpone operation of the petroleum decree further. In the fundamental questions involved, i. e., the conflicting rights of the Government and private individuals to the subsoil products, he explained that the decrees were fiscal legislation merely, to pass laws that would give effect to article 27 of the Constitution and to legislate as to the above question was the province of Congress. He stated that if the difficulty could not be settled except by war or intervention he was sorry, but was prepared to confront this alternative.

Mr. CHAMBERLAIN. Which was simply to be expected, in view of President Wilson's assertion that no matter what he did there would be no war.

Senator BRANDEGEE. We have not replied to Mr. Carranza's ultimatum, as far as I am aware of.

The CHAIRMAN. No. But again, on October 1, 1919, we said, referring to this same subject:

In this view of the matter the Government of the United States, owing as it does to its citizens, the duty of protecting them in foreign lands, both in their persons and their property rights, must strongly protest against the action of the Mexican Government as outlined above, and characterize it as threatening confiscation and a denial of justice.

In communicating the foregoing the Government of the United States takes occasion to express the confident hope that pending the general settlement of the petroleum question by specific legislation of the Mexican Congress, the administrative authorities of Mexico will respect the vested rights of American citizens and evince that respect by withdrawing its insistence that interested American citizens comply with the provisions of the decrees mentioned.

Senator BRANDEGEE. Do we not say we will hold them to strict accountability?

The CHAIRMAN. No; not these notes. We only used that in reference to Germany and Huerta.

You spoke about a series of articles you are publishing in Collier's. Have they begun to be published yet?

Mr. CHAIRMAN. Yes; three have appeared, and three or four more will probably appear.

The CHAIRMAN. That is all I care to ask you. You will be excused.

(Thereupon, at 4.30 o'clock p. m., the committee adjourned subject to the call of the chairman.)

INVESTIGATION OF MEXICAN AFFAIRS

HEARING

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

SIXTY-SIXTH CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 106

DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS
OF THE UNITED STATES IN MEXICO

PART 20

Printed for the use of the Committee on Foreign Relations



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INVESTIGATION OF MEXICAN AFFAIRS.

MONDAY, MAY 17, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE OF FOREIGN RELATIONS,
Washington, D. C.

The committee met at 11 a. m., pursuant to the call of the chairman, in room 128, Senate Office Building, Senator Albert B. Fall presiding.

Present, Senators Fall (chairman) and Brandegee.

TESTIMONY OF MR. CHARLES E. JONES.

(The witness was duly sworn by the Chairman.)

The CHAIRMAN. You may state your name to the committee.

Mr. JONES. Charles E. Jones.

The CHAIRMAN. Your residence.

Mr. JONES. New York.

The CHAIRMAN. What is your business, Mr. Jones?

Mr. JONES. Newspaper man.

The CHAIRMAN. What have you been engaged in for the last several years past, in addition to your writing?

Mr. JONES. In addition to my newspaper work, for the last five years I have been cooperating with the United States Department of Justice Bureau of Investigations.

The CHAIRMAN. Where has your work or your cooperation with the Department of Justice carried you, and with whom generally have you been doing such work?

Mr. JONES. Throughout nearly all parts of the United States, particularly along the border, and in Central America and in Mexico.

The CHAIRMAN. In Mexico, have you had confidential relations, or have you been, in your cooperation with the department, in contact with prominent Mexicans?

Mr. JONES. Yes, sir. Shall I explain how that came about?

The CHAIRMAN. Yes; I think you had best make an explanation of it.

Mr. JONES. During the latter part of 1917 I received a proposition from the Mexican foreign office, through the secretary of foreign relations at that time, Candido Aguilar. That proposition came to me through Mr. Adam Leckie, who was a member of the Mexican law firm of Gonzalez Roa Carbajal and Leckie. The proposition was something like this: They were very anxious to have a publicity director through the United States, and also to at all times be thoroughly kept advised as to exactly what was occurring here in Washington, or where anything might arise of interest throughout the

United States, and they particularly referred at that time to the activities of the revolutionary interests throughout the United States.

For probably two years prior to that time I had been sending almost daily reports to the Department of Justice, and as soon as that proposition reached me it was immediately reported at that time to A. Bruce Bielaski, who was Chief of the Bureau of Investigation at that time. The negotiations continued for probably two months, insomuch as I had in my possession an unusually large quantity of papers, documents, etc., pertaining to the activities of the Mexican revolutionists of which the Mexican Government was very anxious to secure control. When I first started in with the Department of Justice it was thoroughly understood between Mr. Bielaski and myself that under no circumstances would I accept any remuneration, nor was I ever sworn in to the Department of Justice service, although they were anxious to have same done.

Senator BRANDEGEE. You mean you were not employed at all by the Department of Justice?

Mr. JONES. The proposition came up in this way, Senator: Things were developing pretty rapidly down in Central America, and Forrest C. Pendleton, at that time division superintendent for the Gulf States, knowing I was quite familiar with conditions in Central America, asked me if I would consent to go into the employment or service of the Department of Justice. I told him that due to their remuneration and my own business affairs that it would be impossible to consider a proposition of that kind, but that I would agree to help them out, providing it would be absolutely at all times kept thoroughly confidential. So, with that understanding I became connected with them, always in an inside capacity.

About two weeks after that Mr. Bielaski came to New Orleans, where I was at that time, to see me, and asked me if I would continue to cooperate with them. So, I agreed with him to do so, provided, as I have stated, it would be kept entirely confidential, and that my hands would not be tied, as far as information or anything of that kind that I might secure was concerned, if at any time I wanted to use it. So in that way we started.

For a period of a year and a half or probably two years I even paid all of my own expenses, although they repeatedly insisted upon me rendering accounts, which I refused to do. At the time Mr. Bielaski entered into this agreement with me I told him that eventually I expected to utilize in a newspaper way at any time any stuff I might get. So it was thoroughly understood and agreed between he and myself that if at any time I wanted to use the stuff I had a perfect right to do so.

So, with that understanding, I cut in with them, and up to the time Mr. Bielaski quit, and for probably three and a half or four months after that, I did the best I could for them. When Bielaski got out I dropped out myself as soon as I could. So from the time I started I handled for his department, down in Central America and elsewhere, considerable of their Mexican investigations.

The CHAIRMAN. Have you documentary evidence?

Mr. JONES. Yes, sir; and I might as well submit that right now.

Senator BRANDEGEE. Documentary evidence of what?

The CHAIRMAN. Of his association with the Department of Justice.

Senator BRANDEGEE. Before you put that in the record, let me ask you another question in line with what I started to ask.

Mr. JONES. Yes, sir.

Senator BRANDEGEE. You say you cooperated with them, and you did not, as I understand you, receive any compensation?

Mr. JONES. None, whatever.

The CHAIRMAN. Except later on, after a couple of years, they paid your expenses?

Mr. JONES. When the Felicista movement first became active the private secretary of Mrs. Diaz, Guillermo Rosas, was coming to New York, and he and two other parties came up, we were endeavoring at that time to secure the Felicista codes, and so I brought Rosas and these two other Mexicans up and paid all their expenses. We did succeed in lifting the entire codes on the trip, which was turned over to the Department of Justice, photostatic copies made and turned over to them. On the way back, after having spent about five or six weeks on the trip up here and in New York, Mr. Pendleton said, "You are absolutely foolish to continue to pay your own expenses, and you render an account for this trip"; so I did, and from that time on, such expenses as I incurred I was reimbursed for by the bureau.

Senator BRANDEGEE. What I wanted to do was to make perfectly plain whatever the fact was in relation to your cooperation with the Department of Justice. As I understand you, you were in no sense at any time an official of the department?

Senator BRANDEGEE. Or in its employ?

Mr. JONES. Never.

Senator BRANDEGEE. But when they asked you to do certain things that involved expense, later on you thought it was proper and did accept compensation for those expenditures?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. What was your motive in cooperating with the department in that way if you were not an employee of it?

Mr. JONES. As I explained to you a few moments ago, due to personal friendship of Mr. Pendleton and myself, and as the revolutionary movement on foot in Honduras at that particular time was most active, and due to certain connections I had in Honduras, I was in a position to get the inside facts. The Bureau of Investigation at that time probably only had 250 or 300 men and a very limited appropriation for the financial support of the bureau. Pendleton's hands were absolutely tied as far as being able to get the information he wanted was concerned; therefore, knowing that probably I might be able to get it, he came to me to get me to do it. That was Forrest C. Pendleton.

Senator BRANDEGEE. I am interested in knowing whether it was simply your friendship for Pendleton or whether it was a patriotic idea to help your country?

Mr. JONES. Both. At that particular time and in that particular instance I did it just offhand to cooperate with Pendleton, without ever thinking I would be called upon to cut in again. I produced what Pendleton thought were excellent results. He then asked me, "Would you be willing to consider entering the Government service?" I told him I could not do so, but I would be willing to co-

operate with him provided it would always be thoroughly confidential. He evidently wrote to Mr. Bielaski about it, for within two weeks or so Mr. Bielaski came down, and I then entered into an agreement with him that whenever or wherever I could be of any service I would be very glad to cooperate with them.

Senator BRANDEGEE. I understand that now. Why was it that this member of this Mexican law firm hit upon you as a desirable man to employ in their interests?

Mr. JONES. Mr. Leckie and myself have been very strong personal friends for a good many years. He was a member of the law firm of Leckie, Cox & Shierer, in the Southern Building in Washington, D. C., and after Carranza began to get on his feet down there, Leckie, who had had in his possession a great many of the claims placed in his hands by foreigners having investments in Mexico, decided undoubtedly that probably the best way to successfully handle the claims would be to connect himself with a Mexican law firm, which he did. And when Leckie was approached by Gonzalez Roa, who was probably as close to Carranza as any Mexican, Leckie immediately thought of me and put the proposition up to me.

Senator BRANDEGEE. That explains it. What is Leckie's full name?

Mr. JONES. Adam Leckie.

Senator BRANDEGEE. Now you may proceed with your documentary evidence.

Mr. JONES. So, at the time Mr. Pendleton carried through that proposition with me, from that time on almost daily I handled some Central American or Mexican work for the Bureau of Investigation in connection with my newspaper work.

Senator BRANDEGEE. Do I understand that all the time, over the period about which you are testifying, your newspaper work was your dominating idea?

Mr. JONES. Oh, yes.

Senator BRANDEGEE. And your regular occupation?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. And all this other information you came into possession of was acquired primarily in the newspaper work?

Mr. JONES. It was acquired primarily for that, but at the request of Chief Bielaski, Mr. Pendleton, or others, I had to choke 95 per cent of it to death, because if I had published the information I secured it would have, 9 times out of 10, interfered with the plans and future efforts of the Bureau of Investigation. So in the end my connection and association with the bureau was decidedly a very undesirable connection for me.

Senator BRANDEGEE. It was a losing financial operation?

Mr. JONES. At all stages of the game. If I could have published what I had there is no telling what I could have had. I could have scooped the country from a newspaper standpoint almost every day.

Senator BRANDEGEE. And yet, while you had to choke this to death, as you express it, at the request of Mr. Pendleton or Mr. Bielaski, nevertheless, you had with him an understanding when you went in that you could at any time make public anything you wanted to?

Mr. JONES. An absolutely positive understanding.

Senator BRANDEGEE. But when you saw how important it was, at their request, you suppressed it?

Mr. JONES. With the idea, you understand, Senator, that it would take days and days to explain, but if I could have published the stuff that I had I would have had a newspaper beat almost every day.

Senator BRANDEGEE. That is all I care to ask on that point.

Mr. JONES. Under date of June 28, 1916, from Washington, Mr. Bielaskie wrote me at New Orleans as follows:

MY DEAR MR. JONES: I beg to acknowledge the receipt of your letter of June 21, 1916, with respect to the awkward position in which certain remarks made by one Dr. J. H. Wiley have put you and Mr. Pendleton.

I think that the actions which you and Mr. Pendleton have taken have cleared up this matter as satisfactorily as is possible without so revealing your relations with this department as to seriously interfere with the best interests of the Government.

If Dr. Wiley should continue to make statements of a character likely to seriously injure either yourself or Special Agent Pendleton, we can probably find some way of inducing him to pursue a more proper course; but at the present time it seems to me that you and Mr. Pendleton must, for the good of the public service, make whatever sacrifices are essential to keep your relations with the Government confidential.

With respect to the Dusart case, the Diaz case, the Honduras revolutionary matter, and numerous other similar matters of grave concern to the United States, I am only too glad to testify to the discreet, patriotic, and invaluable service which you have rendered.

I appreciate very much your assurance that you will continue to aid us as heretofore and assure you that I will be glad to testify to the value of your service at any time such action may seem desirable.

Very truly, yours,

A. BRUCE BIELASKI, *Chief.*

I am introducing this due to the fact that several times in carrying out the suggestions of Chief Bielaski and Mr. Pendleton and others connected with the Department of Justice and the State Department I have put myself in a false position. This man Wiley made some rather dirty remarks, and so I wrote to Bielaski that I could not afford under any circumstances to carry through such plans as that in the future. This letter was the result of that.

Under date of June 16, 1919, Mr. Bielaski, from New York City, wrote Mr. L. L. Winslow, State Department, Washington, D. C., as follows:

DEAR WINSLOW: This note will introduce to you Mr. Charles E. Jones, of New Orleans, La. During the time that I was with the Department of Justice Mr. Jones was a very valuable source of information and assistance, especially with respect to matters pertaining to Mexico and Central America. I think some one in your office once told me that he turned in a greater amount of correct information regarding these countries than any other individual. You will find that the reports which have come to you from him through the Department of Justice were in the name of Cresce.

Yours, very truly,

A. BRUCE BIELASKI.

Senator BRANDEGEE. These you are reading from are photostatic copies, are they not?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. Do you have the original, from which the photostatic copy was made?

Mr. JONES. Yes, sir.

The CHAIRMAN. I was going to ask you if you had not originally had some communication with this committee under the same name which you have given there—Cresse?

Mr. JONES. How is that?

The CHAIRMAN. In your original communications heretofore had with this committee during this investigation have you communicated with them under the name of Cresse?

Mr. JONES. Yes, sir; due to the fact that Capt. Hanson was familiar with the department name that was given me by the department, carrying me under the name of "Cresse." That was Mr. Bielaski's own suggestion, due to the fact that there were in the State Department innumerable leaks which went directly back to various Mexican factions.

Under date of May 28, 1919, on a Department of Justice letter-head, I wish to read the following letter, dated at New Orleans, from Forrest C. Pendleton:

MAY 28, 1919.

To whom it may concern:

I have known the bearer, Mr. Charles E. Jones, for over three years and I am glad, indeed, to testify to the very valuable assistance he has rendered to the Department of Justice, particularly to the New Orleans office.

In my opinion, he more than anyone else is entitled to the credit for breaking up the activities throughout the United States of the Nicaraguan, Guatemalan, Salvador, and Honduran revolutionary movements. He has also furnished the Department of Justice as much, or more inside information pertaining to revolutionary movements in Mexico as any man in this country. Results secured by him regarding activities of German spies and propagandists in Mexico and along the Texas, Arizona, New Mexico, and California border was of great value to the United States Government.

I know of no man in the United States so thoroughly posted on Mexican and Central American political affairs, and he is, without question, the most astute, accurate, and resourceful investigator I have ever met.

Mr. Jones is thoroughly trustworthy, and you can absolutely rely on anything he tells you.

Yours, very truly,

FORREST C. PENDLETON,
Division Superintendent.

Senator BRANDIGEE. If these are all in writing, could they not be handed to the stenographer and put in the record, and you proceed with your testimony?

Mr. JONES. Yes, sir. I will introduce a letter from Charles E. Breniman, division superintendent of the San Antonio division, dated January 13, 1919.

I will also introduce a letter from Adam Leckie, dated May 20, 1918, addressed to Hon. Ignacio Bonillas, Mexican ambassador, at Washington, D. C.

I also introduce a letter from R. E. Muzguiz, consul general of Mexico, at New Orleans, addressed to Bonillas, dated June 17, 1918.

The CHAIRMAN. These letters may be printed as an appendix to the testimony of this witness.

(The three letters referred to last above are printed in full as an appendix to the testimony of this witness, together with other letters to be furnished.)

Senator BRANDEGEE. Is this Adam Leckie, who was a member of this firm of Gonzalez Roa, Carbajal & Leckie, the one that you spoke of being in the Southern Building at Washington?

Mr. JONES. Yes, sir. Unfortunately, Mr. Leckie died last December. He probably might have been bumped off. I don't know whether he was or not. But in connection with Mr. Leckie I think it is common justice to him that I should say that at the time Mr. Leckie was in Mexico connected with that Mexican law firm, it is a

matter of knowledge to Ambassador Fletcher at that time, and to myself and Chief Bielaski, that Mr. Leckie was probably the very best inside source of information that I personally had in Mexico City. He personally was able to get stuff directly from Gonzalez Roa, who in turn got it from Carranza or Carranza's higher officials. I personally know of no man in Mexico, or America, who was more patriotic and more loyal and more honest to our Government than Mr. Leckie. It is true that he had probably closer relations with prominent Mexican officials at that time than almost any American, with the possible exception of Mr. Douglass. Leckie, until the day of his death, never had the slightest idea that I ever had any connection with the Bureau of Investigation, and in that way I was able to get stuff which Leckie told me he in turn had offered to our military attaché in Mexico, and also Ambassador Fletcher. He tendered his services without any qualifications to the embassy down there. What they did with it I don't know, but I do know that Mr. Leckie was a 100 per cent square American, and if it had not been for the stupidity of the State Department Leckie could have been of great service in many Mexican matters as they came through, but for some reason, largely because he was a Republican, I imagine—that was his opinion—they did not care to have anything to do with him.

Senator BRANDEGEE. When you say he offered information repeatedly to our ambassador, Mr. Fletcher, in Mexico, and to other people, do you mean to intimate that although he offered it, it was not availed of?

Mr. JONES. I could not correctly say that, Senator, but I believe this. The correct interpretation of that would be, for instance. Mr. Leckie, at the time Mr. Rhoades and Mr. Garfield were sent down there by some oil company to negotiate some transaction I happened to meet both Rhoades and Garfield and Leckie at San Antonio, Leckie was coming out and they were going in. They had been down there prior to that time, and Leckie's statement regarding that was that he had secured certain information from Gonzalez Roa as to what Luis Cabrera and Carranza had already said and that he had told that to the oil attorneys and in turn had made certain suggestions to the Embassy and the Embassy simply thanked him for it and let it go. He had made the offer, as I understood it, to the ambassador, in confidence, to make certain recommendations to Luis Cabrera. The ambassador said he would examine into it and let him know later, but he never did. Leckie said that repeatedly, time after time, he had offered certain things that he thought he could secure inside information on, and had suggested to the military attaché and the ambassador that he would be very glad to do it, and they thanked him profusely for it and never went ahead with it. They were either scared of him or didn't want to use him.

Senator BRANDEGEE. Why did Leckie maintain an office up here?

Mr. JONES. Mr. Leckie practiced law, as I understand it, for 20 or 30 years, up here. One of his partners was assistant attorney general under Mr. Gregory. When these claims held by foreigners began to accumulate Leckie saw the opportunity, as I understand it, to clean up a good deal of money by centralizing a majority of these claims into the hands of one lawyer or one firm of lawyers, so he immediately began to corral all of the claims, and had I imagine probably

half or two-thirds, and spent a good deal of money on it, so he told me. Then he decided the quickest and surest way to procure results would be to go to Mexico himself and open a law office there. So after arriving in Mexico City he had the opportunity to become a partner in this Mexican law firm. That law firm, in connection with Leckie, was handling all the claims against the Mexican Government, and of course, knowing how things were done down there, that law firm of Gonzalez Roa, Carbajal, and Leckie, if they had ever been able to put the claims through, would have split them all the way around, and there is no telling how much graft would have been paid out to have these claims settled.

Senator BRANDEGEE. When did Leckie become a member of that Mexican law firm?

Mr. JONES. That I don't know correctly, but in the early part of 1917.

Senator BRANDEGEE. If Leckie never suspected that you had any relation whatever with the Department of Justice or with our Government, what did he suppose you were?

Mr. JONES. Strictly a newspaper man, which I had been for 20 years.

Senator BRANDEGEE. Very well. That is all I wish to ask about that.

The CHAIRMAN. Were you through introducing the letters?

Mr. JONES. No, sir. I have here three letters from Andreas Garcia, dated July 22, August 5, and August 6, 1918, which I wish to introduce.

The CHAIRMAN. They will be filed and printed as an appendix to the testimony.

(The letters to which reference was made are printed in full as a part of the appendix to the testimony of this witness.)

The CHAIRMAN. Referring to these letters from Andreas Garcia, which you have introduced, he was at that time inspector of consulates of Mexico and Mexican consul along the border, and particularly in Texas, from El Paso to Brownsville, was he not?

Mr. JONES. Yes, sir.

The CHAIRMAN. And reported to them and did his business with them and with their consulates, and was familiar with their revolutionary activities?

Mr. JONES. Yes, sir; the revolutionary activities and the entire plan.

The CHAIRMAN. And anything that you thought was of real importance to this Government that you discovered in that way, or through any other investigation, you communicated to Mr. Bielaski?

Mr. JONES. My reports on file with the Department of Justice would probably total 3,000 in number, showing that repeatedly I would be asked to come to Washington, or was passing through Washington, and during our European war period the State Department repeatedly would have liked to have told Bonillas things they would like to say, which they could not say, and so I was told either by Mr. Bielaski or Mr. Pike to find out this, that, or the other thing from the ambassador, whatever they might want to get from him, which I did.

The CHAIRMAN. I notice in this letter of Mr. Garcia's of July 22, 1918, he states among other things:

As to the remittance, you had better see your consul in your city and have him ask for authority to pay you. According to the papers I have received from the subsecretary of foreign affairs, you should report to your consul at New Orleans, or through any other of our consuls in your operations, and comply with instructions.

Again, on August 6, acknowledging one of yours of July 22, he states that he is "inclosing the same to the foreign office at Mexico, and suggest that you use your own judgment and make yourself known wherever it is entirely necessary, and that it will not interfere with your work."

Under date of August 5, in Spanish with the English translation, there is a note of introduction from Andreas Garcia to the chief of arms at Matamoras, Tamaulipas, Mexico, stating that "You have been commissioned by the secretary of foreign relations of 'our Government' (meaning Mexico) to watch and counteract the work of the enemies of this Government who are employed in that country." That is, the United States?

Mr. JONES. Yes, sir. Now, to get this entire record straight, when the Mexican Government made me that proposition, originally through Leckie, it was immediately reported to the Department of Justice in my reports, which are a matter of record over at the bureau. The negotiations ran along for probably two and a half to three months, somewhere along in that time, and due to other matters that I had on hand I could not give the time to the Bureau of Investigations to go into that other matter and handle that in connection with my own work.

During February of 1918 the proposition was again put up to me, and I at that time reported the matter again to the Department of Justice, and likewise wrote a personal letter to Chief Bielaski regarding the matter, stating to him that the Mexican Government was very anxious to employ me as their publicity director, and also being connected with the Secret Service of the United States; they offered me a salary of \$2,000 per month, and were also very anxious to purchase every paper or document I might have in my possession pertaining to the revolutionary enemies of their Government throughout the United States and Central America.

Several weeks later I discussed that matter with Mr. Bielaski, and he said there was absolutely no objection on the part of the Bureau of Investigation to my accepting the proposition offered me by the Mexican Government, and that I likewise was perfectly within my rights in letting the Mexican government have all those papers and documents, for which they at that time offered \$40,000.

Senator BRANDEGEE. Through whom was that offer made?

Mr. JONES. The offer was made through Andreas Garcia. I will be very glad to introduce the original reports, which can go in the record, a carbon copy of my reports, covering the whole thing, to the Department of Justice as soon as my trunk gets here.

The CHAIRMAN. The reports may be incorporated in the appendix to your testimony.

Mr. JONES. That resulted in me then going, at Leckie's telegraphic request, to El Paso, Tex., to meet Garcia, and at El Paso Garcia entered into an agreement with me on instructions from the Mexican

foreign office, to handle the work mentioned at \$2,000 per month, and again made me an offer of \$40,000 for the papers and documents.

All of these papers and documents I did not have with me, and I told him I would take the matter up later with him. When I returned to New Orleans, I made a complete report, carbon copies of which I will submit later, to Chief Bielaski. Several weeks after that I was in Washington and at that time Chief Bielaski told me, "Jones, under no circumstances allow the Mexican government to get hold of the papers and documents pertaining to the activities of their revolutionary enemies in the United States or elsewhere."

I mentioned at that time to Bielaski the fact that I had written to him, also covered the matter thoroughly in my reports, and it was particularly fortunate that I did not happen to have all the papers and documents with me at El Paso, because if I had, probably they would have at that time been turned over to the Mexican government. The Mexican government never secured those papers.

From that time on for a period of six months I retained my connection with the Mexican government, and in that way was able, from Ambassador Bonillas and practically every Mexican consul that they had along the border, in New York, New Orleans, or any other place, and from their offices in Mexico, to secure complete inside information as to the plans and activities, etc., they had in the United States, throughout Central America and Mexico, and as these plans were secured by me, they were immediately reported to the Bureau of Investigation of the Department of Justice, as per reports on file there, and duplicate copies likewise sent to the State Department.

The CHAIRMAN. Now, in connection with these activities, what did you learn and report of important to the United States with reference to the activities of Mexico in connection with the Central American matters, and the Republic of Honduras, Guatemala, Salvador, etc.?

Mr. JONES. During the latter part of 1916, nearly all of 1917, and up until the early part of 1918, I secured through Honduran, Guatemalan, and Nicaraguan revolutionists, at that time conducting their propaganda and plans in the United States, information to the effect that they had a proposition on with Carranza, Gen. Obregon, at that time Mexican Minister of War and Marine, and practically all other Mexican officials of any prominence at that time close to Carranza.

The CHAIRMAN. What was the nature of that proposition that they had on with Obregon and Carranza and the Mexican officials?

Mr. JONES. The scheme in its entirety, Senator, was a plan whereby, with arms, ammunition, and money, likewise several boats, to be furnished by the Mexican Government, armed expeditions out of Cera Cruz, one or two ports in Quintana Roo, and another port near Belize, British Honduras, and other armed expeditions out of New Orleans, were simultaneously to attack Guatemala, Nicaragua, and Honduras, all those countries in Central America, and by the revolutionary route, overthrow the existing legal governments in each of those Central American countries, and establish a revolutionary leader as president in each of those countries.

The CHAIRMAN. At that time, and particularly after the United States entered the European War, which among these countries you

have named, Salvador, Mexico, or Guatemala, particularly, were friendly to the United States?

Mr. JONES. Estrada Cabrera, who was for many years President of Guatemala, was notoriously friendly to the United States, and I think the day the United States declared war, the following day Guatemala did.

The CHAIRMAN. Mexico never did declare war, did she?

Mr. JONES. No, sir; Mexico never did declare war. Salvador was particularly pro-Mexican, as as much anti-American as Mexico, and was known to be the tool of Carranza in Central America.

The CHAIRMAN. What was the object of the attack upon Nicaragua, if you know? What were the conditions in Nicaragua?

Mr. JONES. At that time Dr. Julius Irias, was one of the leaders of the Nicaraguan Liberal party, which is represented by about 65 per cent of the voters of Nicaragua. Irias claimed, not only to myself in quite a number of conversations, but likewise to others who repeated the remarks to me, that Mr. Chamorra, who is now President of Nicaragua, and at this time in 1916, and the early part of 1917, was Nicaraguan Minister to Washington, had been promised by Secretary of State at that time, William Jennings Bryan, that if Chamorra would consent to the treaty affecting certain canal rights across Nicaragua—

The CHAIRMAN. The San Juan River route?

Mr. JONES. Yes. That he, Bryan, would see that Chamorra was elected President of Nicaragua. Irias and his friends and supporters claimed, that, due to the influence of Bryan and of the State Department, irrespective of the majority of the voters in Nicaragua, the election really was a cooked proposition for Chamorra.

The CHAIRMAN. Why was Mexico interested in behalf of Irias? Just because of his antagonism to this Government?

Mr. JONES. They were employed at that time, in looking around, in connection with Von Eckhardt, German Ambassador to Mexico, trying to establish in Central America a stronghold, which, if they had succeeded, would have resulted in the United States facing in Central America a strong pro-German situation, such as we had in Mexico. In other words, it was the idea and plan of Carranza, with Von Eckhardt and Carranza's officials, to gain control of all of Central America.

The CHAIRMAN. Then this movement, so far as Mexico was concerned, against Nicaragua, and Guatemala, and Honduras, in conjunction with Salvador, and the revolutionists in these different countries, was in aid of the German propaganda and German proposition as advanced by Von Eckhardt?

Mr. JONES. Yes, sir. I will introduce later a signed statement proving that absolutely, from parties who were approached in regard to the proposition.

The CHAIRMAN. Suppose you cover that at this time, unless you have some memoranda which you desire to follow?

Mr. JONES. I thought I would just read in a brief memorandum of it here, then refer to cases where the original letters and photostatic copies are set out, from Mexican officials and others.

The CHAIRMAN. And file those documents with the committee?

Mr. JONES. Yes, sir.

The CHAIRMAN. Very well. Pursue your own course. Of course, make it as short as you reasonably can.

Mr. JONES. Yes, sir. The financial support which Mexican Government officials, as shown in files A, D, H, and I, are alleged to have extended to the Nicaraguan, Guatemalan, and Honduran revolutionary movement, was supplied by the German Embassy at Mexico City to Carranza.

The CHAIRMAN. Have you evidence of that other than what you gained through your connection with the Mexican foreign department?

Mr. JONES. I have a statement to that effect.

The CHAIRMAN. When you say Files A, etc., are those the exhibits and documents you are reading from?

Mr. JONES. Yes, sir. This is from a subexplanatory index in File I, and I will furnish for the use of the committee a written statement covering this matter. The principal agent of Carranza in the original negotiations and starting of this movement, was F. R. Villavicencio, at that time Mexican consul general at New Orleans. A letter of March 3, 1916, to General Rosales, on pages 15 to 17, File I, show the personal negotiations between Villavicencio and Pedro Grave de Peralta, the agent of the Central American revolutionary junta in New Orleans.

The CHAIRMAN. The statement to which you refer may be incorporated in the record as a part of the appendix to your testimony.

Mr. JONES. Pages 20 and 21, File I, contain letters from Peralta to Gen. Maximo B. Rosales, Honduran revolutionary leader, inclosing copy of letter from Carlos Felix Diaz, Mexican consul general at that time at Belize, British Honduras. These letters give a good deal of information regarding the plans of the Mexican consul at Belize, in connection with the Central American revolutionists.

Under date of March 11, 1916, Gen. Maximo B. Rosales, in San Francisco, wrote Peralta at New Orleans, as shown on pages 22 and 23 of File I. The Mexican consul general at San Francisco at that time, Ramon P. De Negri, had written and said that he—De Negri and Rosales—were working in close accord. De Negri during 1919 was transferred as consul general from San Francisco to New York City.

The CHAIRMAN. Is this De Negri the man who has recently, from newspapers reports, announced himself as with the present revolutionary movement in Mexico against Carranza?

Mr. JONES. Yes, sir.

The CHAIRMAN. Until recently he has been the Mexican consul general in New York?

Mr. JONES. That is right.

The CHAIRMAN. Is he the same man who has circulated the Arthur Thompson Bolshevik literature in the United States?

Mr. JONES. Yes, sir.

The CHAIRMAN. And denied that?

Mr. JONES. Yes, sir. I have a copy of that yellow book that I got from the consulate in New York.

The CHAIRMAN. Very well, you may proceed.

Mr. JONES. In this file there are a good many letters which I am not mentioning, but which the file itself stands for, and which give

in detail from day to day, and month to month, the complete inside plans as they were developed.

Gen. Rosales, on May 24, 1916, wrote to Peralta that President Carranza of Mexico intended to start a war immediately on Estrada Cabrera, in Central America. Rosales' letter also contains the statement that the Governor of Yucatan, at that time Salvador Alvarado, and who is at the present time one of the most active participants in the revolutionary movement now going on in Mexico, that "the Governor of Yucatan is very much interested in assisting a general movement against the allied governments of Central America, especially those protected by the Guatemalan Government." This letter is found on pages 29 and 30 of file I.

A letter of the Mexican consul, Carlos Felix Diaz, March 27, 1916, pages 31 and 32, file I, to Peralta, informs Peralta that he, the consul of Mexico, at Belize, British Honduras, is working in connection with the revolutionary movement which is springing up in Guatemala, and likewise he has established relations with some of the rebels of Honduras.

Peralta's letter of April 2, 1916, page 35, file I, to Manuel A. Perdomo, of Belize, British Honduras, confidential agent there for the Carranza government, tells Perdomo that the plans of the Mexican Government are progressing satisfactorily.

Peralta, in a letter of April 2, 1916, to Carlos Felix Diaz, Mexican consul at Belize, British Honduras, pages 36 to 38, file I, gives additional plans regarding the Central American revolutionary movement.

Peralta's letter of April 19, 1916, to Rosales, pages 40 and 41, file I, states that he is inclosing letter from F. R. Villaviciencio, Mexican consul general at New Orleans, also from Carlos Felix Diaz, Mexican consul at Belize, British Honduras, and refers the letters from Peralta to Carranza, and Candido Aguilar, Mexican secretary of foreign affairs, and other prominent Government officials in Mexico City. These letters are on pages 61 and 62, file I.

Carlos Felix Diaz, Mexican consul general at Belize, British Honduras, on April 20, 1916, wrote Peralta, as shown on pages 44 and 45, file I, that he, the consul, had arranged with Gen. Carlos Vidal, military commander for Carranza in the Territory of Quintana Roo, with respect to different parts of that territory where their arms and ammunition were to be unloaded, and the various expeditions organized and equipped out in that territory against the various Central American countries. Gen. Vidal, I understand, at the present time is one of the most active supporters of Gen. Obregon.

The CHAIRMAN. In the revolutionary movement against Carranza?

Mr. JONES. Yes, sir; the revolutionary movement against Carranza. Vidal had been very active with Gen. Green in Tabasco.

The CHAIRMAN. Gen. Green claimed to be the legal governor of Tabasco.

Mr. JONES. Yes, sir.

The CHAIRMAN. And also is one of the prominent figures in the present movement.

Mr. JONES. And a very strong personal friend and supporter of Gen. Salvador Alvarado.

Peralta's letter of April 24, 1916, to Carlos Felix Diaz, Mexican consul general at Belize, British Honduras, pages 50 to 52, file I, is in answer to Diaz's letter of April 20, 1916, to Peralta, on pages 44 and 45, of file I. In that letter Peralta congratulates Carlos Felix Diaz for assurances from him and the Mexican Government of their complete support of the Central American movement. He then outlines plans to operate a revolutionary movement against Guatemala, through the Mexican State of Chiapas, and then states that as soon as Gen. Rosales is in power in Honduras, they would throw 20,000 to 30,000 troops against Guatemala, which, with the attack from the Chiapas border, would result in the complete overthrow of Estrada Cabrera, President of Guatemala.

Peralta's letter of May 17, 1916, to Rosales, pages 63 and 64 of file I, informs Rosales that Peralta is leaving New Orleans May 19 for Yucatan and Mexico, and has letters of introduction from F. R. Villavicencio, Mexican consul general at New Orleans, La., to President Carranza, Gen. Salvador Alvarado, governor of Yucatan, as shown in the photostatic copy of the letter on page 51 of this file. Also to Gen. C. Aguilar, son-in-law of President Carranza, and Mexican minister of foreign relations. Likewise to Gen. Alvaro Obregon, Mexican secretary of war and marine. Other letters of introduction carried by Peralta were to prominent Mexicans, as shown on page 62 of file I.

A subsequent letter, dated May 12, 1916, page 62 of file I, introduces Peralta to Gov. Alvarado of Yucatan, and requests him to assist Peralta in every possible way.

After Peralta's arrival in Mexico City, as shown on page 66, he addressed a letter to each of the various parties to whom he had letters of introduction there, as shown in the index and subexplanatory index of file I. Photographic copies of these letters stand for themselves.

President Carranza, having received the confidential advice from his consul general at New Orleans, and from other officials of his throughout the United States, was fully aware of the plans prior to the arrival of Peralta in Mexico City. There, President Carranza, on June 8, 1916, wrote Peralta as per his letter shown on page 70 of file I, stating that he would receive Peralta at the palace at 4.30 p. m., June 9, 1916.

Peralta's letter of June 10, 1916, to Obregon, Minister of War and Marine, pages 72 and 73 of file I, expresses Peralta's thanks to Obregon for the assistance so far given to the Rosales-Peralta plans to secure financial and political support for Mexico to overthrow the governments of Honduras and Guatemala, and then secure for Mexico political control of Central America.

Peralta's letter to Gen. Obregon, as shown on pages 72 and 73 of file I, refers to information brought by Peralta to Mexico. At that moment relations between the United States and Mexico were rather strained, and while Peralta was in Mexico he had completed arrangements whereby he was to secretly furnish the Government of Mexico information which would keep them thoroughly posted regarding Army and Navy movements of the United States Government, likewise any other information which would be of value to Mexico. Peralta's letters to various Mexican Government officials shown in

this file bear out this statement. For instance, his letter of July 3, 1916, to President Carranza, pages 94 and 95 of this file, and his letter of July 11, 1916, page 101 to Dr. George A. Guzman, in which Peralta states that President Carranza had designated him as Mexican confidential agent at Washington.

The CHAIRMAN. Who was this man Peralta?

Mr. JONES. Peralta is half Cuban and half Nicaraguan, and, I believe, a naturalized Honduran. Probably in 1913 or 1914 he came to the United States. He has always been mixed up in Central American politics for a good many years, and that seems to be his principal business. Gen. Maximo B. Rosales, ex-vice president of Honduras, and ex-minister of war, was approached by Peralta in connection with Dr. Irias, and in connection with Gen. Jose Castillo, Guatemalan revolutionary leaders. Peralta, I believe, was, in connection with Villavicencio, with whom he was on very familiar terms, the originator of this plan, in connection at that time with De Negri, consul general at San Francisco, and others of the Mexican consul generals in the United States. There was supposed to be a good deal of German money floating around, and the Department of Justice, as far as I was ever able to learn, was not able to trail it. I even went to the complete limit, but never could trail the real party in this country. We were thoroughly satisfied of the fact that a large volume of the money was German money, and at the time these papers and documents were secured by me we got hold of some which bore that prior thought out. Later we secured statements, signed and otherwise, and from parties participating in it, which positively proved the earlier surmise correct.

The CHAIRMAN. Very well. You may proceed.

Mr. JONES. Peralta's letter to President Carranza, dated June 16, 1916, pages 75-76, file I, assures Carranza of his interest in the proposition, and states that Gen. C. Aguilar, Mexican Minister of Foreign Relations, and Mr. Ugarto, private secretary of President Carranza, had assured him, Peralta, that President Carranza had already given instructions to them to communicate his wishes and desires as to the success of the Central American revolutionary plans, and that within a few days the necessary instructions for arms, ammunition, and finances, would be given.

The Government of Mexico at that moment was very anxious to endeavor to offset column after column of newspaper and editorial matter, which was being run in the United States, severely criticizing Carranza and his Government for their pro-German and anti-American attitude. Peralta was filling Carranza and others full of hot air as to his power to control publicity throughout the United States. He has been assured by me that I could fully cooperate with him and get anything he wanted in the newspapers. Therefore, on June 19, 1916, Peralta wrote Gen. C. Aguilar, Mexican Minister of Foreign Relations, as shown on page 78, file I, requesting that he, Peralta, be given a frank over the Mexican telegraph wires to send certain information to newspapers friends of his in the United States, which was myself, and which would create a friendly sentiment in the United States for the Mexican Government. As a matter of fact, Peralta never had an opportunity to secure, through me or anybody else, any newspaper publicity throughout the United States.

Peralta, on June 19, 1916, wrote President Carranza, as shown on page 51 of file I, that the entire Liberal Party of Central America, including Gen. Maximo B. Rosales of Honduras, Dr. Julius Irias, of Nicaragua, and Gen. Jose Castillo, of Guatemala, without conditions placed the entire liberal party of Central America at the exclusive orders of Gen. Carranza to fight the United States, or any other enemy of the Mexican Government. At the time this letter was written by Peralta conditions between Mexico and the United States were almost at the breaking point, and it will be seen from Peralta's letter that he absolutely pledged the armed support of Gen. Rosales's followers and other revolutionary parties affiliated with the Rosales movement, to consolidate their forces with those of Mexico to fight the United States.

On June 23, 1916, as shown on page 55 of file I, the subsecretary of foreign relations of Mexico wrote Peralta that Luis Cabrera, Mexican secretary of finance, had received instructions in regard to Peralta's affairs, and requests Peralta to come to the office of Cabrera on June 24, 1916, at noon.

From President Carranza's private secretary, on June 23, 1916, page 86, file I, Peralta received a letter informing him that President Carranza had already given orders to supply Peralta with the necessary war equipment and money for the Central American revolutionary movement, and requested him to call at the office at noon on June 24 so that all these matters could be definitely settled. That letter again referred to President Carranza's instructions to Luis Cabrera, Mexican secretary of finance.

Peralta's letter of June 25, 1916, pages 87 and 88 of file I, to Carranza, again informs Carranza that a triumph throughout Central America is an established fact.

Peralta's letter of June 27, 1916, page 89 of file I, to Gen. A. Obregon, Mexican secretary of war and marine, requests letter from Gen. Obregon to Gen. Carlos Vidal, Mexican military chief in Payo Obispo, Quintana Roo, who is to help from there in operating various Rosales revolutionary movements in Honduras and Guatemala.

Peralta's letter of June 27, 1916, pages 90 and 91 of file I, to Carranza's private secretary, thanks him for his assistance in securing the results and getting the necessary instructions to the various Government officials for Peralta to secure the necessary war equipment and money.

On page 92 of file I is shown a letter, dated at Mexico City, June 27, 1916, from Gen. Carlos Green, addressed to Antonio Hernandez Ferrar, and introduces Peralta to that party. Gen. Green, in this letter, states that Peralta has arranged with Mexico regarding some very important matters and is now returning to the United States to carry out his plans, which have been assisted and fully concurred in by Mexico.

Peralta's letter of June 27, 1916, page 93 of file I, to C. Aguilar, Mexican minister of foreign relations, expresses his thanks to Aguilar for the highly satisfactory manner in which President Carranza has cooperated with the Central American revolutionary movement, and then refers to the war equipment and money which Mexico was to furnish for that movement.

Peralta's letter of July 3, 1916, to President Carranza from Vera Cruz, pages 94 and 95 of file I, refers to Peralta's proposed plan to

spread propaganda throughout the United States, endeavoring in this way to avoid intervention on the part of the United States. Peralta also in this letter states that he feels sure he will be useful to Mexico in Washington and New York, and will also confidentially be able to keep Mexico fully advised regarding the plans and activities of the United States.

Peralta's letter of July 5, 1916, page 96 of file I, to Dr. Roberto de la Rosa, dated at Vera Cruz, as shown on page 96 of file I, instructs Dr. de la Rosa to immediately see that all of the parties in Vera Cruz who are to leave there with the armed expedition against Honduras are ready when wanted. He also tells this party to inspect at Vera Cruz the rifles and ammunition which have been furnished for this movement by the Mexican Government.

Peralta's letter to Vidal, Mexican military commander at Payo Obispo, Quintana Roo, dated Vera Cruz, July 5, 1916, page 97, file I, informs Vidal that Peralta's mission to the national palace at Mexico had been fully successful, and that he, Peralta, at an early date would sail from Vera Cruz to Payo Obispo with a group of revolutionists and a supply of arms and ammunition, and would also bring Gen. Vidal a letter from the Mexican secretary of war and marine, Gen. A. Obregon. This is the letter which Peralta requested Gen. Obregon to give him as per Peralta's letter shown on page 89. Peralta also in this letter requests Gen. Vidal to telegraph in code Carlos Felix Diaz, Mexican consul general at Belize, informing him that Gen. Rosales and Peralta had succeeded in securing all they wanted from Mexico, and then refers to their political triumph in Mexico.

Peralta's letter dated at Vera Cruz July 6, 1916, page 99 of file I, to Manuel de la Rosa, requests him to immediately make arrangements for the establishment of a Red Cross service in which Mexican doctors only are to be employed. This refers to the hospital corps which was to be organized in Vera Cruz, and participate in the revolutionary movements against Honduras and Guatemala.

Peralta's letter dated at Vera Cruz July 6, 1919, to Gen. Obregon, Mexican secretary of war and marine, page 100 of file I, thanks Gen. Obregon for his assistance, and refers to the fact that Gen. Obregon has done as much or more than any other Mexican to help establish the liberal rule in Central America. Peralta in this letter also tells Gen. Obregon that he is now quietly arranging the various armed expeditions in Mexico which will work in connection with those to be run out of the United States and from Belize, British Honduras, against Guatemala and Honduras. He also in that letter refers to a previous conversation with Gen. Obregon regarding the necessity of organizing a hospital or Red Cross corps which will be supplied exclusively by Mexican doctors. He then requests Gen. Obregon to release Dr. Manuel de la Rosa, director of the Mexican hospital at Vera Cruz, so that Dr. de la Rosa can organize and command the revolutionary hospital staff which was to accompany the various armed expeditions against Honduras and Guatemala. Peralta in this letter refers to a letter which Dr. de la Rosa will personally hand to Gen. Obregon. This is the letter which Peralta wrote Dr. de la Rosa regarding this matter on July 6, 1916, as shown on page 99.

Peralta's letter dated at Vera Cruz July 11, 1916, on page 101 of file I, to Dr. Jorge A. Guzman, informs Guzman of the fact that he has been appointed private secretary to Peralta. Peralta also in this letter refers to having been designated by President Carranza as their legal and confidential agent in Washington. On page 104 of file I is a photostatic copy of an agreement between Peralta and W. P. Gavin, at that time in Vera Cruz.

On page 106 is shown memorandum prepared by Gen. Manuel E. Lardizabal, at New York City, regarding the plans and activities of Peralta in Mexico. Lardizabal is alleged to have secured information regarding these matters from or through his ex-wife, Mrs. Concha Prado, who was in Vera Cruz, Mexico, or Mexico City, at the time Peralta was there. This signed memorandum from Lardizabal, which is later confirmed, as far as the information is concerned, from Peralta himself, in my presence, in which Peralta admitted that he had secured from Luis Cabrera, Mexican minister of finance, \$50,000 for the Honduran revolutionary party.

On page 108 of file I is shown a contract entered into between Peralta and Roberto de la Rosa, whereby in this contract Roberto de la Rosa is to raise in Vera Cruz an expedition of 100 men and not less than 4 officers, arming and equipping them with rifles and cartridges for the proposed expedition out of Vera Cruz against Honduras, likewise for shipping arms and ammunition out of Mexico to various Central American points.

On page 109 are details regarding the organization of the Mexican hospital staff which was to accompany the Rosales revolutionary expedition out of Mexico against Honduras.

On page 121 is a memorandum showing itemized expenses for the armed expeditions out of Vera Cruz and Campeche, Mexico.

On page 124 is a report made by one of Gen. Rosales's confidential messengers, named Santos. This report states that all of Gen. Rosales's plan, as far as the Mexican end is concerned, could not be in better shape. Furthermore, that Gen. J. Castro, Mexican sub-secretary of war and marine, is helping the Guatemala revolutionary party to the best of his ability. This report also states that Gen. Obregon, Mexican secretary of war and marine, and President Carranza had agreed to supply an additional quantity of arms and ammunition.

That is the end of that.

The CHAIRMAN. We will now suspend until half past 2 o'clock.

AFTER RECESS.

At the expiration of the recess the committee reconvened.

TESTIMONY OF MR. CHARLES E. JONES—Resumed.

The CHAIRMAN. Mr. Jones, you may proceed.

Mr. JONES. File D, pertaining to Nicaraguan matters, contains, on page 1, an autographed photograph of Gen. A. Obregon, at that time Mexican minister of war and marine, to Dr. Julian Irias, the Nicaraguan revolutionary leader. This photograph was presented to Dr. Irias by Obregon while Irias was in Mexico securing financial assistance and arranging for arms and ammunition to be used

by Irias in his Nicaraguan movement, in combination with the various other Central American movements testified to heretofore.

The various letters, documents, etc., in file D show Irias's connection with the Mexican Central American plot and plans.

During the time this Central American plan of Mexico was on foot various agents of Carranza and von Eckhardt were sent to the United States and to the Central American countries to carry through the plans regarding the matter.

The following is a statement made by Antonio Mendez Monteroso, former military governor and commander at La Ceiba, Honduras, and other parts of that country:

During the year 1916 President V. Carranza of Mexico through a confidential representative made me the proposition mentioned hereinafter. At that time I was military governor and commandante for the Government of Honduras at La Ceiba. The confidential agent of President V. Carranza of Mexico was Senor Gustave Solano, who at the time this proposition was made to me was at New Orleans, La. Knowing that I was acquainted with Alfredo Quinonez, a native of Salvador, Gustave Solano, who is now Private Secretary of Espinosa Mirrelles, the governor of the Mexican State of Coahuila, therefore authorized Alfredo Quinonez to propose to me in writing, which he did, that I would receive a special commission from President Carranza as the official directing head of a revolutionary movement which President Carranza wanted me to start in Honduras and operate out of that country against the Government of Guatemala. Gustave Solano by his credentials and otherwise fully proved to Alfredo Quinonez his complete authority to act for President Carranza in this matter, and Alfredo Quinonez in turn proved to me entire satisfaction regarding the complete authority of Gustave Solano and himself to act in this matter.

I was assured by these representatives of President Carranza that the Government of Mexico would finance this revolutionary movement to any extent, no matter how high the expenses might run, and that the entire revolutionary movement would be completely outfitted with all necessary arms, ammunition, artillery, machine guns, machetas, and all other war supplies, equipment, and financial payment for my services I might designate. Furthermore that President Carranza would supply me with two or more steamships which would be used in the revolutionary movement, so I was informed by Gustave Solano through Alfredo Quinonez would include a large number of Mexican Army officers and soldiers. I was also informed at that time by these representatives of President Carranza that this revolutionary movement was part of the complete plans of President V. Carranza of Mexico to by a revolutionary movement on the part of Mexico overthrow Estrada Cabrera, President of Guatemala, and was to be the opening movement on the part of Mexico to become the domineering power in all of the Central American countries. I also at that time understood from these parties that the financial backing, a total expense of this proposed revolutionary movement against Guatemala as offered to me through these parties who were the confidential agents of President Carranza, was to be paid with money furnished for this purpose to President V. Carranza of Mexico by H. Von Eckhardt, the German Ambassador to Mexico City.

So that I would be able to secure the full plans of Mexico regarding this proposition, therefore for a considerable time conducted negotiations regarding these matters with Gustave Solano through Alfredo Quinonez, and after I had secured complete information regarding same I then emphatically told these parties to inform President Carranza and everybody else implicated in this proposition that under no circumstances would I be a party to any such proposition, first, on account of the fact that I was a native of Guatemala, and always had been and would be the loyal supporter of my native country, and never under any circumstances would I cooperate with Mexican forces against Guatemala, and in the second place, in so much as I was a strong admirer and personal friend of President Cabrera, of Guatemala, that for no amount of money or promise of future political reward or power, such as was promised me to handle this revolutionary matter, would I ever be connected with any revolutionary plans against him. Furthermore, even if I were against Mr. Cabrera, I would never have anything to do with a proposition that was or would be financed or supported by Germany or any German

interest. On account of the rumors which seem to be well established regarding the fact that the Government of Mexico is now said to be financing and cooperating with a revolutionary movement against the Government of Guatemala, which is to be started in the near future out of the Mexican States of Chiapas and Tabasco, believe now is the time to fully inform President Estrada Cabrera regarding these matters; therefore have made this written statement as to the facts mentioned herein and same has been signed by me at New Orleans, La., on this the 8th day of September, 1919.

A. M. MONTERROSO.

The statement was signed by Gen. Monterroso and witnessed by Rafael Heliodoro Valle, who is now at the Honduran legation at Washington, D. C. A photostatic copy of Gen. Monterroso's statement is filed with the committee. Likewise a photostatic copy of his passport issued by the Government of Honduras and signed by Monterroso, which verifies his signature to the original signed statement. Also a photostatic copy of a statement made by Monterroso at the American Consulate at La Ceiba, Honduras, August 7, 1917, signed by Monterroso, in the presence of the American consul, which verifies the signature to the original statement signed by him.

The reason that Carranza approached Monterroso through the representative mentioned hereinbefore was due to the fact that some 15 or 16 years ago Monterroso was known to be one of the most bitter and active enemies of Cabrera, and on or about that time participated in a revolutionary movement against Cabrera. The Mexicans and Guatemalans interested in the proposition, therefore, thought Monterroso would be very much interested in participating in the Central American plan.

At New York, about two weeks ago, I met a Mexican by the name of Ernest Racca, whose card reads, "M. D.", claiming to be a doctor, and who is running a chemical laboratory on the third floor of a building at 192 Bowery, corner of Spring Street. Racca had seen one or two newspaper articles of mine, and called on me, and in the presence of my brother, N. T. Jones, and Gene Fowler, of the New York American, offered to sell me quite a number of letters passing between he, Racca, Pedro Peralta and Dr. Manuel de la Rosa, Gen. A. Obregon, Carranza, and others, which completely proves the fact that, with the full knowledge, consent, and approval of Gen. A. Obregon, and Carranza and his other officials, the Red Cross or hospital corps was organized in Vera Cruz at that time, which consisted entirely of Mexican doctors in the employment of the Mexican Army, to be a part of the various revolutionary movements started by Mexico against Central American countries. Dr. Racca was employed in the Mexican military hospital at Vera Cruz, and was to become a part of that expedition. His card is filed on page 1 of File I.

These various Central American revolutionary movements were actively continuing, and the several armed expeditions were ready to operate, and were getting ready to leave the United States during the latter part of 1917. For probably a year and a half I had, for the Bureau of Investigation, secured the inside plans from Dr. Julian Orias, and when the bureau thought they had sufficient evidence they closed in on him, resulting in his arrest in New Orleans by the Department of Justice, and I understand that the United States District of Attorney allowed him to elect to either leave the United

States or face prosecution in the Federal courts, and he at once left the United States, and is now said to be in Costa Rica.

Several months after that Peralta, Gen. Maximo B. Rosales, and several of the other operators were arrested in New Orleans by the United States Department of Justice, and upon recommendation of the United States District Attorney at New Orleans, they were allowed to leave the United States or face prosecution in the Federal courts. Naturally, they immediately left the United States.

That was a most serious mistake on the part of the Attorney General's office at Washington, and I understand they received the suggestion from the State Department that it would be advisable to deport these Central American revolutionists in preference to prosecuting them in the Federal courts; that being due, as I was told, to the fact that if any of these prominent Central Americans were prosecuted and sent to the penitentiary it might lead to an unfriendly sentiment throughout Central America against the United States. From the date that these Central American revolutionists, who had received many thousands of dollars from Carranza and Von Eckhardt, left the United States, they have and are continuing to be actively engaged in planning and plotting their revolutionary movements throughout Central America.

I believe that is the end of that.

The CHAIRMAN. As I understand it, you have certain other documents that you will refer to later.

Mr. JONES. Due to certain other documents and files which have been delayed in reaching Washington, particularly those applying to what is known to the Department of Justice and State Department as the "Plot of Morazan," which was to be a consolidation of the Central American Governments of Honduras and Salvador. These documents and further information regarding same will be testified to before the committee at a later date.

The CHAIRMAN. I understand these documents are to follow those you have already introduced?

Mr. JONES. Yes, sir. Carranza, in other words, had three well-known Central American propositions: First, his Mexican and Central American and Pan-American League for Neutrality. That was broken up, and then he started to gain control of Central America by the revolutionary route, as shown before the committee. That was busted up, and then he started on the third plan, which was the plot of Morazan.

The CHAIRMAN. Very well. You may proceed.

Mr. JONES. This Central America revolutionary plot of Carranza, in connection with von Eckhart, as I understand it, has repeatedly been hinted at and mentioned, but has never as yet in documentary shape been proven; and files I and D and the other files, I am inclined to believe, for the first time, by the photostatic copies of letters of various Mexican officials, from Carranza and Gen. A. Obregon, and many others, positively prove the plot and plan as it existed. As fast as these various documents and information were secured, same were promptly reported to the United States Department of Justice, and carbon copies of all reports and documents were likewise forwarded to the State Department. Therefore, the State Department at all times has been fully aware of every plot, plan, or scheme on the part of Carranza and his officials to gain control of Central America.

The CHAIRMAN. And as to their purposes in attempting to gain control.

Mr. JONES. Yes; and as to the absolute purpose on the part of Carranza and his officials to extend their power throughout Central America, until Central America, and from there on down throughout the balance of Pan-America, in connection with Mexico, were to be one, as they expressed it, one united Latin race, which would be at all times a domineering factor against the United States, commercial and otherwise, throughout Pan-America.

It is a very noticeable fact that Gen. A. Obregon, whose letters have heretofore been introduced before the committee in File I, Gen. Carlos Green, Gen. Salvador Alvarado, Ramon P. De Negri, now confidential agent for the revolutionary group in New York City, and many of the other outstanding leaders and representatives of the present revolutionary group in control in Mexico, were as active in these Central American intrigues of Carranza as was Carranza himself.

The CHAIRMAN. So there is no reason to think that, if the policy of the Carranza Government with reference to Central and Pan-American affairs was with any ulterior motive against the United States, that those plans are likely to be changed by Carranza going out and any of the present prominently-mentioned members of the revolutionary group coming in?

Mr. JONES. That is true, Senator. The enthusiasm displayed by Gen. A. Obregon, Gen. Salvador Alvarado, and others, in stating that there should be a warm spirit of friendship and cooperation between themselves, their Government, and the United States, is not borne out by their past anti-American policies and efforts against the interests of the United States throughout Pan America. It has been impossible for those who really knew the inside facts regarding the many plans and plots of Carranza throughout Pan America, and which have been proven in innumerable ways to the complete satisfaction of the State Department by original documents and otherwise, to ever understand how or in what way the United States allowed Carranza and his officials to continue his anti-American policies through Latin-America.

Senator BRANDEGEE. If all these other Mexicans had the same hostile feeling toward America, what could have been done? Who could have been put in down there who would have been better than Carranza was?

Mr. JONES. I do not believe that any of the present crowd, irrespective of whether he has been pointed out at the present time as one of the leaders of the immediate moment, would have been one single bit better than Carranza, because the files which I have introduced before the committee, including all of the letters from Gen. A. Obregon, Alvarado, De Negri, and innumerable of the others who are now in power in Mexico, show that they were active participants in every one of these Central American plots and plans. The leopard can not change his spots. If Gen. A. Obregon to-day is to rule in Mexico, as he apparently is, or Gen. Alvarado, or Gen. de la Huerta, Gen. Calles, or somebody else, if those men a year ago or five years ago were unfriendly to the United States and actively against all interests of the United States, certainly, if they now

change around and preach friendship and cooperation with the United States it is simply the old original Carranza gag, such as was preached at the beginning of the régime of Carranza, promising everything a mortal man could. These people to-day in power in Mexico are all of that same old crowd, and I do not see how anybody can expect anything out of them in the present Mexican situation.

Senator BRANDEGEE. You mean their professions of friendship are simply to enable them to get recognition by this country, do you?

Mr. JONES. There is no doubt about it, Senator, judging from the records of every one of them. Carranza's record, from the day he was recognized, or the first time he started as first chief, demonstrates that. Alvarado's record is a straight line of blood. Obregon's record is the same. There is no man to-day in Mexico who is professing friendship and love and sympathy for the United States that has not by his past record proven to be just as bad as Carranza ever could be. People to-day are judged, whether they are Mexicans or Americans, or any other nation, by what has been in the past, and if Obregon and these other people have been 100 per cent bad, not only from the standpoint of being fully anti-American, and actively against the United States at all stages of the game, and participating in every outrage, directly or indirectly, against foreigners, and their properties, and their lives, and everything else, I do not see how we can expect anything better from them. How in the name of the world can those people come, with hat in hand, and stand in front of the White House and say, "Here we are. We have had a change of heart. We have been washed away," and all that sort of thing. It is just plain bunk.

It is a known fact to the Department of Justice, and the State Department also has a record of it, that during probably June and July of 1918, at the time Germany apparently was winning on its drive to Paris, that Gen. A. Obregon wrote a book which was known to be 99½ per cent pro-German and anti-American. As soon as the Allies began to pick up, along in August Obregon's advisers told him, "For God's sake to cut that book out, and if you go ahead with it, change it." And Obregon, who has always flopped on the advice of his advisers, had the whole proposition changed. The original, however, I understand, is in existence in the files of the State Department. I told Senator Fall that a day or two ago. And Gen. Obregon, after he came to the United States and visited around and saw things, then began to lay plans actively for the President of Mexico; he, of course, changed his tune, and sang a swan song which was pro-American.

The CHAIRMAN. This book of Gen. Obregon's, to which you have referred, was the manuscript of a proposed book sent into the United States to be published, and supposed to have been seized by American officials at Nogales, Ariz., and filed with the proper department here of the United States Government?

Mr. JONES. Yes, sir.

The CHAIRMAN. You have referred several times to the activities of Gen. Salvador Alvarado. Did you know Gen. Alvarado personally?

Mr. JONES. Very well.

The CHAIRMAN. Have you met him at any time recently?

Mr. JONES. I met Gen. Alvarado probably 10 or 12 times in New York during February and March.

The CHAIRMAN. Of this year?

Mr. JONES. Of 1920.

The CHAIRMAN. Just previous to the declaration of independence and nonrecognition of Carranza by the authorities of the State of Sonora?

Mr. JONES. Yes, sir.

The CHAIRMAN. That movement, revolutionary in character, against the Carranza government occurred about the latter part of March or 1st of April, did it not?

Mr. JONES. Yes, sir.

The CHAIRMAN. And culminated in what is known as the plan of Agua Prieta of April 5?

Mr. JONES. That is right.

The CHAIRMAN. Signed by de la Huerta and Calles?

Mr. JONES. Yes, sir.

The CHAIRMAN. Gen. Alvarado was here about that time, was he not?

Mr. JONES. Yes, sir.

The CHAIRMAN. Do you know what he was doing here?

Mr. JONES. We had some information last September or October which showed some peculiar actions on the part of various Mexican Government officials. I will testify to-morrow as to how and in what way I had already ceased to cooperate with the Department of Justice for a good many months at that time, but, in October, 1919, I made it a matter of record with several parties in Washington, and also in New York, that I expected to cut in with these Mexicans and work some inside information out of them, if possible, at a later date, as part of this plan. I placed before the managing editor of the New York American, Mr. Rancke, the plan or idea through Alvarado to secure the real inside information as to what was brewing in Mexico.

Gen. Salvador Alvarado arrived in New York about the middle of February, 1920, and several days after his arrival I called at his hotel, accompanied by my brother and by Gene Fowler, of the New York American. I had known Alvarado prior to that time, he knowing me as a newspaper man. I told him I understood he was very actively engaged in starting an opposition movement against Carranza, either in favor of himself as presidential possibility or of Gen. Obregon, and suggested to him the advisability of employing me as a publicity agent. After some time Alvarado warmed up, and finally I was able to secure practically all the plans of himself and associates. He suggested that I prepare a written proposition in regard to the publicity work I desired, and I told him I would do so and present it to him at a later date. He is still waiting for it.

On March 17, at 6.30 p. m., I saw Alvarado at his apartment in the Hotel Alexandria, One hundred and third Street, near Broadway. At that time I was accompanied by my brother, N. T. Jones, and Gene Fowler of the New York American. Alvarado, thinking that all the information he had given me and would give me would be strictly confidential, urged me to immediately begin an active prop-

aganda against Carranza, and in that showed up the entire past, as he expressed it, of the dirty work of Carranza and his clique. He again cautioned me that under no circumstances was his name ever to be used. At that time he introduced me to a party named Manuel de la Pena, who now is said to be commercial agent for the present revolutionary group, with headquarters in New York City.

Senator BRANDEGEE. Was Alvarado, in addition to being hostile to Carranza, a partisan of or agent for Obregon?

Mr. JONES. At that time, Senator, as I will show in detail hereafter, I asked him during these interviews would he be an active supporter of Obregon, and he said that it was not yet a settled matter as to whether Obregon would be a candidate for the presidency. Alvarado was accused then, as he is now and has been for the last two years, of trying to manipulate things so far as possible to be a presidential candidate himself. He always had that presidential bee in his bonnet.

Senator BRANDEGEE. Who did he represent when he came to Washington?

Mr. JONES. He at that time claimed to represent the de la Huerta crowd in Sonora.

Senator BRANDEGEE. Did you see him when he was here in Washington?

Mr. JONES. Yes, sir. I had located him. He told me he was leaving New York, and I got in touch with de la Pena and asked him where I could reach him by wire. I was trying to keep tab on him. I learned from de la Pena I could get him by wire at the Continental Hotel in Monterrey. The next day I learned Alvarado had left there, due to his threatened arrest by Carranza, and was on his way to Washington. I got here the same day Alvarado did.

Senator BRANDEGEE. Do you speak Spanish?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. And read it, of course?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. Very well. That is all I care to ask this morning. You may proceed.

Mr. JONES. I asked Gen. Alvarado why it was that Carranza had caused his arrest shortly before he left Mexico, and his answer was that it had been caused by Carranza's determination to in this way attempt to keep Alvarado's mouth shut regarding his opinions of Carranza and of the forthcoming presidential elections.

Continuing, Alvarado said that he had been under arrest for some five or six days, but was finally released due to the influence of several strong friends of his who impressed upon Carranza the importance of not keeping Alvarado in prison or of having him executed.

Alvarado then said that his daily newspaper in Mexico City might as well have been closed up due to the fact that Carranza, through Andres Garcia, his Postmaster General, was suppressing the paper by killing off its circulation, which was handled in a very shrewd manner so that its subscribers either did not receive the paper at all or its various issues reached them from three to ten days after publication.

Alvarado again, due to my leading questions, branched off into the threatened revolution in Mexico as an outcome of the presidential elections. Alvarado said:

My explanation of why this revolution is sure to occur is that President Carranza proposes to maintain his power and control Mexico, irrespective of consequences to himself, to Mexico, or to any one else. Carranza has manipulated the State elections in each of the Mexican States. This has resulted in Congressmen and members of the Senate being elected at Carranza's direction, all of whom are positively pledged to do his bidding. These members of the Senate and of Congress are not only the most unrepresentative Mexicans, but, on the contrary, are the very riff-raff of my country.

It might be interesting to state that that is the Congress and the Senate that they are asking the provisional president, De la Huerta, to call into session, and that is the same Congress and Senate that was in session under Carranza, and of that Congress and Senate are favorable or were favorable to Carranza, it will be interesting to note just exactly how and what their actions will be regarding the present situation.

Senator BRANDEGEE. How long after you talked with Alvarado did you make these notes from which you are refreshing your recollection as you testify?

Mr. JONES. It has been my custom for five years, Senator, for instance, if I talk to you and you tell me something right now, when I get outside where you can't see me, I jot it down in a memorandum book.

Senator BRANDEGEE. Do you generally make them the same day?

Mr. JONES. Absolutely, every day, as soon as I get away from the discussion, wherever it might be.

Alvarado, in addition to saying that all State elections had been farcical, added that invariably Carranza had placed in power governors of his own selection. In the State of Tamaulipas, Gen. Luis Caballero was formally elected over Gen. Lopez de Lara, the choice of Carranza. Carranza then declared the election illegal, and Caballero rebelled and was driven out of the city and is now affiliated with the revolutionary element in that State. Carranza then appointed a governor of his own selection.

In Tabasco the elections were held some six or seven months ago, according to Alvarado, the opposing candidates being Gen. Green and Luis F. Dominguez. Green had the support of the former governor, Gen. Carlos A. Vidal. Assassinations, riots, and personal and political persecutions resulted, and in the end Carranza appointed his own governor.

In San Luis Potosi elections for governor was held on July 6, 1919. The opposing parties were Rafael Nieto, former sub-secretary of the treasury under Carranza, and Ingeniero Severino Martinez. By force of arms, Carranza forced a Nieto legislature in power who declared Nieto governor of that State.

Alvarado then said that similar tactics had been pursued in every Mexican State, and the outrages perpetrated by Carranza, so Alvarado continued, and by other prominent Mexicans who were connected with the Carranza government, were particularly notorious in the States of Nuevo Leon, Nayarit, Sonora, Michoacan, Coahuila, Yucatan, and in practically all other States. All these manipulations were ordered and carried out by Carranza in open violation of

Carranza's constitution of 1917, and in complete disregard of the promises made and guaranteed, as Alvarado particularly pointed out, in Carranza's speech of April 15, 1917, to the Mexican Congress in which speech Carranza said, "The only thing I can assure you of is of my sincerity and rigidity of purpose and the disinterestedness that always has guided me. You must not forget for a single instant that you represent a nation hungering for its freedom and one that has endured untold sacrifices in order to realize this perfect ideal. To this end you must bear in mind always that democracy, which resolves all affairs by majority votes, democracy alone can bring union of the members of all political parties, and the equality of all men. For these reasons a democracy sincerely understood and honestly exercised must not seek a majority in question of partisanship, no matter what its purpose might be.

Alvarado, continuing, said, "those who know Carranza and his rotten policies, after reading that part of the speech referred to, should be convinced that he always was and always will be not only a liar, but absolutely dishonest." Alvarado then pointed out the fact and proved it by showing us the assurance made by Carranza, which were positive to the United States, on October 8, 1915, through E. Arredondo, his representative at that time in Washington, who in a letter on the date mentioned to Secretary of State Lansing, said:

I have the honor to say that inasmuch as the reestablishment of peace within order and law is the purpose of the government of Mr. Carranza, to the end that all the inhabitants of Mexico, without exception, whether nationals or foreigners, may equally enjoy the benefits of true justice, and hence take interest in cooperating to the support of the Government, the laws of reform which guarantee individual freedom shall be strictly observed.

Therefore, the Constitutionalists' government will respect everybody's life, property, political and religious belief.

Alvarado said that Arredondo was always as much a liar as Carranza had proven himself to be, and that for many months prior to the date of Arredondo's letters to the Secretary of State, Carranza, through Arredondo, and also through Americans, had received fees running into hundreds of thousands of dollars paid to these Americans for repeatedly assuring the United States Government that Carranza was the only possible solution to the Mexican question.

Alvarado, continuing, said that Arredondo had promised to Secretary of State Lansing anything and everything imaginable and made all embracing guaranties that Carranza or he could dream of. Alvarado then said that this resulted in Carranza's receiving de facto recognition from the United States, as shown by the following letter from Secretary of State Lansing, dated October 19, 1915, and addressed to Arredondo:

It is my pleasure to inform you that the President of the United States takes this opportunity of extending recognition to the de facto Government of Mexico of which Gen. Venustiano Carranza is the chief executive.

The Government of the United States will be pleased to receive formally in Washington a diplomatic representative of the de facto government as soon as it shall please Gen. Carranza to designate and appoint such representative, and reciprocally the Government of the United States will accredit to the de facto government a diplomatic representative as soon as the President has the opportunity to designate such representative.

I should appreciate it if you could find it possible to communicate this information to Gen. Carranza at your earliest convenience.

Alvarado, continuing, said:

Every Mexican as well as the people of the United States, knows that all assurances made by Carranza at the time he made his solemn guaranties to the United States, were even at that time known to Carranza's principal supporters and intimates in Mexico to be flimsy and absolutely false.

Alvarado, continuing, said:

When Carranza received *de facto* recognition from the United States everyone in Mexico was tired of war and strife and wanted to cooperate with Carranza to rebuild the country. This included even a majority of the bandits, men of every political faith and even Carranza's former enemies. All of these men thought the Carranza Government would be a legal government, by and for the people.

Carranza had solemnly and faithfully, with tears in his eyes, guaranteed in a most emphatic manner protection of life and freedom of speech, action, and every other kind of guarantee. Lack of this freedom was one of the principal reasons outlined by him for the start of his revolutionary movement.

Alvarado then said:

If Carranza had carried out his promises and guaranties and had been honest, he would have become the idol of Mexico, believed and respected by Mexicans of all classes. He had a greater opportunity to do good than almost any other Mexican. If Carranza had even been reasonably honest he could have made Mexico into a new country and would have gone down in history as the equal of Hidalgo and Benita Juarez.

After Carranza had fooled the United States into recognizing his government, and then realizing that his power, as he thought, was supreme, he determined, irrespective of cost or consequence, to retain that power. After two years of his dishonest and cruel misrule, and after having been given more than a fair opportunity to carry out his guaranties, then even his own political party realized that he was utterly impossible and in every way was drunk with the power he had absorbed, and that his government, policies, and plans were a pathetic joke. After two years of his misrule his party colleagues endeavored to bring pressure to bear on Carranza to have him change his idiotic policies.

In answer to protests of his party Carranza said that he intended to rule Mexico according to his own ideas and that he had the United States "eating out of his hand" and had arranged matters in the army whereby no one would ever be able to throw him out of power like Huerta and Diaz had been forced out, and that he proposed to permit his army officers to "do just as they please."

Alvarado, then, illustrating the graft in the Mexican army, which is permitted by Carranza as a means to remain in power, said:

A commanding general in the army would deport on his pay rolls 10,000 men and draw pay and also the purchase price for food and supplies for that number of his troops when in reality would have but 5,000 or 6,000 men. This resulted in that particular commanding general stealing the pay roll and cost of maintenance for fully 50 per cent of the troops he was supposed to have on his pay roll. What the commanding general would do, lesser lights in the army would copy after to replenish their own pockets.

The CHAIRMAN. Did he mention any generals who did any grafting?

Mr. JONES. At a later date Gen. Alvarado wrote out himself, which I have, a statement regarding the practices of the clique in and around Carranza, which I will file with the committee at a later date.

The CHAIRMAN. I am interested in knowing if he in a statement mentioned any of them?

Mr. JONES. He mentioned Candido Aguilar, he mentioned Carranza's chief of staff, Barragan, and he mentioned quite a number of others. Some of them showed up a good deal in it.

The CHAIRMAN. How did he speak of Gen. Obregon and Gen. Pablo Gonzales?

Mr. JONES. At the hotel the consensus of opinion between my brother and Gene Fowler and myself—I brought him along that day (so I told Alvarado) in order to write the very best report from a newspaper standpoint—but we were always in the habit of discussing such matters and forming from an opinion of each of us as to what was meant by certain expressions of Alvarado's. The consensus of opinion between all of us was that as far as any particular love or friendship or cooperation between Alvarado and Obregon, that it was absolutely nothing, and if there was any possible chance to ditch him he would gladly do it, because he made the positive statement, as is shown in detail hereinafter, as to the statement which Obregon had recently issued about that time that he did not propose to start a revolutionary movement. I asked Alvarado what that meant. He said, "It will make absolutely no difference at all whether Obregon starts one or not. If he don't, Calles will, de la Huerta will, or I will." Our opinion was that at any stage of the game if Alvarado saw a chance to dump him (Obregon) and get out in the lead he would immediately do it.

The CHAIRMAN. I mean openly expressing himself in his conversations with you. Did he openly express himself concerning Obregon in those conversations?

Mr. JONES. Yes, sir.

The CHAIRMAN. Did he express himself favorably or unfavorably toward Obregon?

Mr. JONES. He, of course, said Obregon was the leader of the party, but the method in which he said it and his facial expression at that time would indicate that he didn't have such an extremely high regard for Obregon.

The CHAIRMAN. I am not surprised at that, but I am asking you what expressions he made with reference to Obregon at that time. As I understand it, he represented the revolutionary movement at that time?

Mr. JONES. That is right, which was supposed to be inaugurated for the final purpose of possibly putting Obregon in the presidency, but certainly upon Obregon's behalf. He really was the active head of the Sonora revolt, financial and otherwise. I do not believe there is any doubt about it. We later ran into a lawyer connected with Alvarado down at the Battery, who was a notorious dealer with Mexico in all kinds of revolutionary stuff. I said then and I still think that Alvarado really was the head of the whole Sonora movement in that country.

Alvarado lost sight of the fact that his entire castigation of Carranza and Obregon and everybody else automatically, as I thought, included himself, because at that time to which Alvarado referred, when all these outrages were perpetrated on Americans and other foreigners, Alvarado was a commanding general in the Mexican Army, and therefore possibly was as much responsible for these outrages as any other Mexican officer.

Senator BRANDEGEE. When you say he was undoubtedly the head of the Sonora movement in that country, do you mean he was deputed by those generals in Sonora to come up here and issue

propaganda or do you mean he really directed those generals down there?

Mr. JONES. I think that Alvarado's first work in New York City was an effort to form connections to finance this movement, and there would then probably be an open effort for general revolutionary movement throughout Mexico. What success he may have had along those lines I do not know. I do know that he was mixed up with quite a large number of prominent Americans in New York City, prominent in business and having some interests in Mexico. In addition to that, he was most actively engaged in endeavoring to spread, particularly so with myself, certain anti-Carranza propaganda which would hold Carranza up to ridicule and create an unfriendly sentiment against him, hanging everything on him, which, as he figured out, would be used as an excuse for these Mexicans to kick Carranza out.

Senator BRANDEGEE. Who do you think was directing Alvarado? Who commissioned him? Who was he acting for?

Mr. JONES. I imagine he was acting with the Sonora crowd. He repeatedly referred to the organization in Sonora.

Senator BRANDEGEE. I want to know whether Alvarado said to you who he represented or who he claimed to represent? When he referred to that Sonora group, did he claim to be representing them or did he claim to be representing Obregon?

Mr. JONES. When I asked Gen. Alvarado the point-blank question in regard to the written proposition I was to submit to him to act as publicity agent when I asked him to whom I should address it, he said to himself. I then said, "Is it possible to give me a yes or no answer now, as soon as this written proposition is received by you?" He said, "No; it will have to be sent to my people in Mexico." I then asked him, "Will you have to communicate with Mexico City?" He said, "No; it will not go to Mexico City." He then said Gen. Calles was one of the parties that would have to decide yes or no on the proposition of the propaganda expenditures and campaign. I imagine from this that it was the Sonora crowd that he really and actually was representing.

Senator BRANDEGEE. The reason I asked that question is, I can understand that you did not try to cross-examine him too closely.

Mr. JONES. Not too closely, because I did not want to spoil him.

Senator BRANDEGEE. But when he was here in Washington a few weeks ago it was stated in the newspapers here that he was one of the representatives of Obregon in that country.

Mr. JONES. That statement was correct, because on the morning Alvarado arrived here I came over from New York, accompanied by my brother and Gene Fowler of the New York American. We were holding a story up to get the tail of the story regarding Alvarado. I had another party telephone to Hopkins's office, and listened in on an extension, and Hopkins said, "Yes; Alvarado is in town but he will not give out any interview." This other party on the phone told him he was representing a newspaper bureau. This party then said that the party he represented wanted Alvarado's address, and Mr. Hopkins refused to give it, and said Alvarado could only be seen at his office in his presence.

I then saw Mr. Kearful, attorney for the committee, and told him where Alvarado could be located. Kearful thought it advisable to

have a subpoena served on Alvarado, but did not have any one who knew Alvarado by sight or where he could be located. I told him he could be located in Hopkins's office. Judge Kearful asked me if I would go with the sergeant at arms and point Alvarado out to him, which I agreed to do, without thinking about it. If I had thought about it I would not have done it, because I would have known it would kill me forever of being able to talk to him again.

Nevertheless, I went down with him and went in to see Hopkins, and Hopkins said, "Yes. Gen. Alvarado was here, but he would give out an interview at 6 o'clock." I told him I was going back to New York at 5, and I would like to see him before that. He said, "That can't be done." I said it was unfortunate, due to the fact that I had had some 10 or 11 interviews with Alvarado in New York, and wanted to confirm the information he had previously given me. Mr. Hopkins seemed to be worried about the interviews, and said to come at 4.30 and I could see him.

The sergeant at arms had been waiting, and we waited around on the street, and then came up and he served Alvarado and Mr. Hopkins, and neither one of them liked it. At that time Alvarado gave out a statement, through Mr. Hopkins, a copy of which I have, about six pages, practically an outline of the reasons for the Sonora revolt. So I take it that Alvarado was the actual representative in Washington of the revolting crowd in Sonora.

Senator BRANDEGEE. When you talked with Alvarado did you talk in Spanish?

Mr. JONES. No, sir; he talked very good English.

Senator BRANDEGEE. You both spoke in English?

Mr. JONES. Yes, sir; on account of Mr. Fowler.

Senator BRANDEGEE. Where is Alvarado now?

Mr. JONES. I understand he is somewhere down in Sonora. I don't know for certain.

The CHAIRMAN. He was in Hermosillo, the capital of Sonora, a few days ago.

Senator BRANDEGEE. Did you ever meet Carranza?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. Talked to him?

Mr. JONES. Mexico City, and I also met him in Piedras Negras.

Senator BRANDEGEE. Did you talk with him?

Mr. JONES. Yes, sir. I remember the first time I ever saw him. He had a dinner for a big bunch of newspaper men, and he took a mouthful of water to rinse his teeth with it, and when he spat I know he could have killed a fly 20 feet away with it.

In various conversations with me Alvarado slapped himself on the breast and said, "Of course, no man living can say that Alvarado is not an honest man. At one time he imagined that he would be a millionaire, but his greatest enemies can say that Alvarado is known to be perfectly honest, and now he is living in perfect misery."

His misery at that time consisted in living in one of the most extreme apartments in the Hotel Alexandria, conservatively costing him \$100 to \$150 a week, he and his wife both being here at that time, and were going the limit as far as apparent extravagance of every kind was concerned. So his misery was of a very peculiar character. Alvarado is conservatively said to be worth from three

to five millions of dollars, and is one of the parties who is supposed to have put up the bulk of the money to start the Sonora revolt. He is supposed to have kicked in a couple of hundred thousand dollars for it.

Going back to my conversation with him in the Hotel Alexandria in New York Gen. Alvarado showed us a copy of the issue of June 5, 1918, of the *El Excelsior*, a prominent daily paper of Mexico City, which published editorially a statement that paymasters of the Mexican Army had and were stealing unusually large sums. The paper gave the names of 37 defaulting paymasters, with the amount each was charged with having stolen. The amounts ran from 500 pesos to 400,000 pesos each.

Alvarado, continuing, said that as an illustration of the money that Carranza had wasted on his army, the majority of which is stolen, the Mexican appropriation for 1918 for its war and marine departments was 120,755,631.65 pesos, and that this was nearly two-thirds of Carranza's entire annual budget for that year; that all of this was spent on Carranza's military, and of which, those who know to be a fact, including himself (Alvarado) realize that 60 per cent was grafted by Carranza's army officers.

Alvarado then said: "This is the real reason for Carranza's power, for the army has permission to loot the appropriation. When the officers are accused of graft, they answer: 'Who are we that we should bite the hands that feeds us?'"

Alvarado then said: "As an illustration of the conduct of Carranza's army, I, while commanding general of the Mexican southern military zone, arrested 182 Mexican Army officers. They ranked from sublieutenant to colonel. I had caught them and absolutely had proof of crimes committed by them, including murder, rape, robbery of foreigners, and destruction of their property, etc.

After I was relieved from my command, Carranza pardoned or released these officers, restored them to duty, and promoted many of them. These men are now commanding troops, and Carranza, with his far-seeing guile, has placed these officers under obligations to him. He is using officers of this class, particularly in command of special troops which he has sent, and is sending to various parts of Mexico to bully and intimidate the voters who oppose his wishes.

This plan, according to Alvarado, has resulted in creating the same conditions in the entire Mexican Army, and that as long as any Mexican officer is willing to do Carranza's "dirty work," that officer can steal with immunity, rob, or murder Mexicans or foreigners, and destroy their property. He continued:

Carranza could have eliminated Villa or any other bandit at any time that he so desired. He could have brought peace and prosperity to Mexico years ago if he had wanted to. When Villa or others became active Carranza invariably withdrew Mexican troops from the territory the revolutionists or bandits were operating in, leaving only a small number of troops, wholly insufficient, for a garrison. In this way the bandits or revolutionists were able to remain active, which was just what Carranza wanted, for it enabled him then to maintain a large army, who in turn looted the treasury, and as repayment for the loot kept Carranza in power; allowing the country to be overrun with revolutionists and bandits also enabled Carranza to appear in the eyes of the Mexicans, who did not know the real facts, and the various foreign governments, as having a great deal to contend with in Mexico, which was his excuse for showing no productive results as far as bringing peace and prosperity to Mexico was concerned.

As an illustration of the fact that Carranza under no circumstances desired that these revolutionists or bandits be wiped out, during the latter part of 1919 Carranza ordered Gen. Dieguez, the commander in the State Chihuahua, to take 1,200 soldiers out of that State, which is Villa's stamping ground, and move these Mexican troops to the State of Sonora, where he was to use the troops to intimidate friends and supporters of Gen. Obregon, whose native State is Sonora. This left the State of Chihuahua with so few troops that renewed activities were immediately launched by the Villistas, which was what Carranza desired.

Alvarado, in explaining Carranza's further plans to remain in power through the influence of his army, said, "Carranza plans, as he has already done, to weed out of his army the few officers and troops remaining that he can not depend on at the next election." Alvarado then said that Carranza's election plans has resulted in the needless deaths of thousands of his troops. He illustrated this statement by stating that Gen. Arnulfo Gomez, who about a year ago was commander of a large part of the Mexican Army in the State of Sonora, was a strong partisan of Gen. Obregon, and that many of his command were likewise supporters of Obregon. Carranza, as commander in chief of the Mexican Army, ordered these troops from their native State of Sonora to the tropical State of Tabasco, in the south of Mexico, and although these men fully realized the fate that awaited them, they dared not rebel and face the charges of mutiny.

Alvarado, continuing, said: "They went, and to-day they are but a sad memory, for tropical diseases, fever, and bandits destroyed them almost to a man. Carranza had given personal orders that all of these troops were to be divided into small squads on their arrival in Tabasco of from 10 to 50 men in each squad, and he sunk deep in the interior and among the tropical swamps. On account of the small number in each squad, those who escaped disease were powerless to resist attacks of bandits and revolutionists."

Alvarado, continuing, said: "Their wives, children, and relatives of these 2,000 Mexican soldiers, the majority of whom had fought through the revolution to place Carranza in power, were left in Sonora. Carranza personally saw to it that they had no military protection. Hundreds of these women and children were outraged and murdered by Yaqui Indians, or persecuted in many other ways." "This," Alvarado continued, "was one of the many examples given by Carranza to show other soldiers inclined to be rebellious, or loyal to Obregon, that it would not be good for them to support others than himself if they did not want to be ordered south or disposed of or framed in some other way."

Alvarado said: "This is one of the many ways used by Carranza to expel from the army or to kill off in the last year and a half fully 50 per cent of the officers and men who helped to place him in power and who were bitterly opposed to his dishonest policies and who Carranza knew could not be depended upon to help him steal the oncoming elections."

Alvarado then said: Fifty per cent of his original army is left, fully content with Carranza so long as he permits them to steal millions of pesos, and rob, murder, and rape Mexicans and foreigners, and destroy their property. Carranza has replaced that part of the army that he has forced out, by recruiting from bandits, revolutionists, robbers, murderers, thieves, and all other of the very lowest and vilest element of Mexico. Therefore, fully half of the Mexican Army now represents the very lowest and worst types of Mexicans."

Alvarado then said that this had resulted in the army being divided against itself, and that Carranza, in attempting to manipulate the affairs of Mexico through his army, will destroy himself by the very power which he set up, through the desires of the two factions in his army, each of these factions already having sworn that their leaders are to be in control of the army.

Alvarado continued: "No matter whether or not Carranza remains in office after the election, this will result during the next four to six months in civil war in Mexico, due to the two army factions breaking apart and fighting each other for full and complete control of the army. Then, in addition to the internal conflict in the Carranza army, there will be the revolution started by the independent political party of which Gen. Obregon is the leader, making a triangular fight of the whole affair, with a large number of independent bandits and other revolutionary parties dipping into the general fray or conducting outrages against anybody or everybody. Thus Mexico will be in a turmoil unprecedented in her hundreds of years of strife and revolution, and blood will flow from every village, town, and city, and it will be a most complete confession to the whole world that Mexico is uncivilized and can not control her own affairs."

I asked him:

Will this not result in the almost total destruction of foreign property in Mexico or the ruin of much of it and will it not bring on the death of many foreigners then in Mexico. And if so, what will the United States and other foreign governments do?

He answered:

The thoughtful Mexicans know and feel certain that when this condition comes to pass, as we know it will soon come, it will result in intervention by the United States. This intervention will in every way have the full sympathy and support of all other civilized governments.

I asked him when this condition came to pass in Mexico, what would Carranza say or do, and Alvarado replied, "When Carranza saw the result of his work and the condition he had yoked his country to through his dictatorship, Carranza and his henchmen would attempt to flee the country." He continued, "but they will be killed before they leave Mexico. The great pity of it is that in addition to Carranza and his clique being blamed for these conditions, all good and loyal Mexicans will be blamed likewise, just as this madman Carranza who is the most damnable traitor of all Mexicans that ever lived."

Alvarado, continuing, said in answer to leading questions of mine that if Carranza had ruled Mexico with an honest end and had put down, as you (Alvarado) say he could have done, the bandits and revolutionists, then there would have been but very little loss to foreigners of their property in Mexico, nor would there have been but very few Americans and other foreigners in Mexico killed.

Alvarado's answer was, "There is no doubt but that Carranza has been and is absolutely responsible for 90 per cent of the outrages perpetrated in Mexico on foreigners and their property. This is an honest and positive fact, and the murder of the majority of the foreigners and the destruction of their property has been caused by the class of bandits and robbers that Carranza has put in his army who he has allowed to conduct themselves as they desire."

Alvarado, continuing said, "Nearly all of the murders and outrages perpetrated on foreigners and their property were done by the Mexican soldiers."

Alvarado then, as one of the many illustrations of Carranza's methods used to intimidate soldiers in Mexico and of forcing them to bend to his dictates in the next election, said, "Gen. Obregon, during the latter part of February of this year, had gone to the State of Michocan. In that State he is very popular and has a strong following. During his visit he made many political speeches supporting his candidacy for the presidency:

Carranza, bitterly displeased as to the popular demonstration in favor of Obregon in Michocan, immediately ordered all the freight trains, which as you know are under Government control and operation, out of that city. The people of that State have not been able since then to ship their products or to secure in return the necessities of life from outside the State. Carranza also ordered more than 75 per cent of the Mexican army troops out of Michocan, thereby leaving the State to the complete mercy of the bandits in their expeditions of robbery and murder in that formerly prosperous territory.

Carranza thus gives a lesson to other States as to what may happen to them if they do not agree with him and court his good will by supporting him by their solid vote behind his presidential plans.

Gen. Alvarado stated that Carranza's plans to steal or control the next presidential elections in Mexico would be manipulated along the following lines, "for," as Alvarado said, "Carranza, through his army has intimidated voters who, if they cast a vote, as far as the majority of them are concerned, will vote as Carranza instructs through his local army officers, or others who would have voted, not caring to have the wrath of Carranza and his officials to fall on them, will stay away from the polls. However, if by chance Obregon or any other presidential candidate that Carranza was against, happened to secure a majority of the votes in each voting district, when the act is drawn up with a list of votes obtained by each candidate, this act will fraudulently be changed to show that Carranza's candidate received the majority of the votes."

Alvarado then said that even if the act was an honest one, which in no event would it be, it would be sent to the Mexican Congress where Carranza's elected deputies or members of Congress assembled and who would pass on the legality of the election and likewise on the number of votes cast for each candidate. With so much fraud possible in the preliminary stages of the election the congressmen themselves, all of whom Alvarado again emphatically stated were Carranza's puppets, would then cinch matters by doing whatever he (Carranza) desired in the way of electing the proper man.

Alvarado, continuing, said: "There is no limit to their trickery, including the corruption of all of the minor election officials, and that as to their plans of stealing the votes or substituting others for the original ballots, Carranza has already thoroughly arranged for this to happen."

Alvarado then brought out very strongly the fact that Carranza's overlooking no chances to remain as dictator in person or be in control of Mexico through a puppet executive, will guide the actions of his Congress in this fashion:

Within a few weeks after the election, Congress will convene for the official count of votes. Carranza's henchmen will then declare whether the election was legal or otherwise. The prearranged plan is for the Congress, as Carranza's vote manipulators, to declare the election void, due to the country not being in a condition of peace, or, declare in some other manner the election has not been "honest."

Carranza, meanwhile, will have retired to the country. Congress, holding that Carranza is confronted with many internal difficulties and with international problems, will decide with much gusto that Mexico must have a strong man to govern as its executive. Then Congress, by unanimous request, will recall Carranza and designate him as Acting President until the country is deemed in sufficient peace to warrant a fair and legal election.

Gen. Alvarado then declared that he, as well as other former strong supporters of Carranza, absolutely had in their possession positive proof of the fact that Carranza, having carefully arranged the whole plan, proposes to put this steal of the election over, even though it does cause certain civil war. Alvarado, however, qualified this statement by saying that certain of Carranza's strong supporters and advisers, fearing the outcome of civil war, which they know is almost sure to force intervention, may at the last moment persuade Carranza that it would be best for him to remain the dictator of Mexico in fact, though not in person, by having elected illegally a dummy President, who will simply be the mouthpiece for Carranza.

In the opinion of Alvarado, as he expressed in his several interviews, if the latter course is adopted, Ambassador Ygnacio Bonillas will be chosen as a dummy for Carranza. For a while it was thought, so Alvarado said, that Gen. Pablo Gonzales might be run as Carranza's proposed presidential puppet, but according to later developments Alvarado is now convinced, according to his statements, that there is a secret understanding between Pablo Gonzales, Bonillas, and Carranza which will result, if a puppet president is put in, in this party being Bonillas.

Alvarado, referring at this moment to Gonzales, said that he (Gonzales) had been one of Carranza's chief spineless political and military lieutenants.

Alvarado, in explaining Carranza's manipulation for the last year and a half in anticipation of domineering according to his own ideas and wishes the oncoming presidential elections, said that Carranza began eliminating more than a year ago from the Government and army, all friends and supporters of every aspirant for the presidency. In the large number so "quieted," some being exiled, others being sent on long "missions" and still others called in from outlying districts and given posts where they would be directly under the official eye of Carranza; among the large number mentioned by Alvarado was Cosme Hinojosa, former Postmaster General of Mexico. Alvarado said that this party was now in New York City and I then asked him to give me a letter of introduction to Hinojosa, which Alvarado did. The letter is as follows:

SEÑOR COSME HINOJOSA,

El Embajador desea hablarte; es un peridolista que desea alguna cosa que no debe que no usara tu nombre.

TE SALUDA,

[Translation.]

S. ALVARADO.

SEÑOR COSME HINOJOSA,

El Embajador desea hablarte.

El Embajador desea hablarte; he is a news-
paper man who desired certain information, and he tells me he will not use
my name.

TE SALUDA,

S. ALVARADO.

Alvarado's statement regarding Hinojosa was that Hinojosa had always been a very strong personal friend and partisan of Gen. Obregon, and that as he had a large personal following, Carranza, therefore, desired, until after he had manipulated the presidential elections, to take away from Obregon Hinojosa's support. Carranza, being afraid to deliberately break with Hinojosa, or attempt to discredit him, decided that it would be best to send him on a long mission, and therefore ordered him as a representative of the Mexican postal system to attend a postal conference in South America. Alvarado, continuing, said that Hinojosa told him that he did not propose to go to South America but would be in the United States for some time, and then go to Spain and France. He said that Hinojosa would fully corroborate conditions in Mexico and Carranza's election plans and dictatorship, as Alvarado had explained same.

Alvarado then said that Hinojosa had spent two weeks of March, 1920, in Washington, endeavoring to urge and persuade Ambassador Bonillas to refrain from being a party to Carranza's election plots. Hinojosa later, so Alvarado said, told him (Alvarado) that he could secure no satisfactory answer from Bonillas as to whether he would or would not continue his activities for Carranza, but that he felt sure of the fact that Bonillas is right to the end with Carranza. Alvarado said that when he received this information from Hinojosa, he (Alvarado), during the week of March 7 to 13, made a trip to Washington where both he and Hinojosa had several interviews with Bonillas, urging him for the sake of Mexico to cut away from Carranza. Alvarado then said, "We literally begged him to refuse to be a party to Carranza's political intrigues," but that Bonillas positively refused to make any promises, nor would he agree not to be a party to the continuation of Carranza's plots. Alvarado, continuing, said the reason Bonillas would not make any promises nor agree not to participate in Carranza's intrigues, was because Bonillas at that time already positively was aware of the fact that he was to be Carranza's presidential candidate and Carranza's instrument to do with as he willed in the Mexican presidential elections. He (Alvarado) furthermore stated that up to that time he had a great deal of respect and confidence in the honor and integrity of Bonillas, but that now, inasmuch as Bonillas had announced himself as a candidate, everyone knew he was simply Carranza's puppet; therefore no one could have the respect and confidence for Bonillas that they formerly had.

Accompanied by Mr. Gene Fowler, a reporter for the New York American, I presented Alvarado's letter to Hinojosa at room No. 463, Hotel McAlpin, on the morning of March 20. After getting him "warmed up" and showing him I was thoroughly familiar with his status and his "mission" and that I knew from Alvarado and others the true state of affairs in Mexico—for I repeated to him many of Alvarado's statements—Hinojosa then consented to talk. He said:

It is true that Carranza, knowing that I am and always will be a strong supporter of Obregon, has therefore, as he has done with others, in order to get me out of Mexico and thus weaken Obregon's candidacy, sent me on a mission to Buenos Aires. However, instead of going there, I am leaving for France and Spain in April, and I may possibly go to Buenos Aires later, returning to Mexico during August of this year.

Hinojosa admitted the conference between Bonillas, Alvarado, and himself in Washington. He also said that as he was on a diplomatic mission for Mexico and officially connected with the Government, he could not talk so freely as Alvarado. Hinojosa, however, confessed that Carranza did propose to manipulate the elections and illegally succeed himself or remain in control of Mexico through a puppet President. He furthermore said that Carranza had run out of the army or had retired to civilian life, or had sent from the country all the strong friends and supporters of Gen. Obregon.

Hinojosa admitted that Andres Garcia, former Mexican consul general at El Paso, Tex., and inspector general of Mexican consulates, had succeeded him as Postmaster General of Mexico.

Alvarado, in one of our interviews, while talking with him in regard to Andres Garcia, said that Garcia was known to be a strong friend and supporter of Obregon, and that Carranza was afraid to leave him at El Paso. Therefore, knowing the large following that Garcia had, rather than break with him, had brought him to Mexico City, where he would be under the direct eye of Carranza and his other henchmen, and in this way the friends and supporters of Garcia through his influence would not be able to be of much value to Obregon's campaign.

Alvarado, in one of my interviews with him, said that during September and October, 1919, Carranza had organized a special corps of army officers ranking from lieutenant to colonel. This was for the avowed purpose, as far as the public knew, to make a survey of conditions in Mexico to improve them. Alvarado, continuing, said:

As a matter of fact, this corps is a secret police system for Carranza. It was formed to spread propaganda favoring Carranza's dictatorship and also to intimidate civilians and any of the army who may be opposed to Carranza's plans. This force consists of between 800 and 1,000 Mexican Army officers; and in small squads and in larger groups these special army officers have been moved from one end of Mexico to the other and under personal orders from Carranza have been used to browbeat and intimidate all of the Mexican citizens who were known to be favorable to other presidential candidates or opposed to Carranza's plans or policies.

Alvarado stated very frankly that the Independent Political Party in Mexico, of which Gen. A. Obregon, former Mexican minister of war and marine, is the presidential candidate, knows positively that Carranza proposes to succeed himself as President or dictator, and that they had documentary evidence to this effect; and that if on the advice of his advisers Carranza weakened at the last moment, that he would then manipulate the elections to put in his presidential puppet Bonillas. Alvarado added:

If Carranza does this, and it is absolutely certain that he will, then it is equally certain that within two or three weeks after the July elections the Independent Political Party will launch their revolutionary movement. It may even happen at an earlier date, due to the fact that Carranza has already endeavored to crush Obregon's strength in Sonora.

On Friday, March 19, at 6 p. m., Jene Fowler and myself again called at Alvarado's apartments in the Alexandria Hotel. At this time Gen. Alvarado gave me written information regarding Mexican matters and likewise at this time continued his previous conversation, and said:

This revolution will extend instantly from the Atlantic to the Pacific and will flash along the entire border, resulting in a multitude of armed uprisings occurring at every border State and in hundreds of Mexican towns and villages.

Before three months from the start of the revolution, Carranza or his "dummy" president and all those allied with him in the illegal elections and participating with him, will be thrown out of power, executed, or exiled.

I asked Gen. Alvarado what strength could be placed on Obregon's recent statement that if he were defeated at the next election he would not head the new revolution. Gen. Alvarado smiled knowingly, and said:

This statement of Obregon means nothing. It is camouflaged. It was given out only by Gen. Obregon to demonstrate that he is a law-abiding citizen, and also to make additional friends in the United States.

The Independent Party is greater than any man. After all it is not a question of who will head the revolution or whether Obregon is the leader or someone else. The fact is that the revolution will come as a result of Carranza's manipulation of the election. There are several leaders who may head it, if Obregon for any unforeseen reason does not assume the leadership.

I asked him:

Who, for instance?

Gen. Alvarado replied:

Gen. P. Elias Calles, one of our best men, may head the revolution.

I pulled out of Alvarado the following facts regarding the reason why Obregon may not be at the start the official directing head of the new revolutionary movement. Obregon's political party believes that the United States may refuse to recognize him if he became President through a revolution; therefore, Gen. Calles has been designated as acting head of the revolutionary movement. Then, when the revolution is successful, or while it is approaching a climax, Gen. Obregon will be called into the situation openly as the strong man who will "bring peace and prosperity to Mexico."

I asked Gen. Alvarado if it was true that he was entertaining presidential aspirations. He said:

Every man aims high, but I am not popular enough in Mexico ever to become president of that country. This is due to the fact that I do not possess the flexibility that is necessary for a presidential candidate to have.

However, Gen. Alvarado declared that as a loyal Mexican, when the revolution started, he proposed to do his duty in supporting any movement that would eliminate, as he put it, "Carranza, the dictator, and his henchmen." He added:

Thousands of Mexicans from the interior and from all border States, during the last 60 days, have crossed into the United States to escape what will be the worst revolution Mexico ever had, and likewise to keep from being forced at the point of guns into Carranza's armies or into the revolutionary forces.

Continuing, Alvarado said.

This, better than anything else that I know of, shows that Mexico is not even safe for the Mexicans.

In checking up Alvarado's statement, it is evident that the flow of Mexican immigration into the United States is increasing rapidly. *El Excelsior*, a Mexican daily, stated in a recent issue, in reference to the large number of Mexicans leaving their country for America, that "whole towns are departing from Mexico into the United States."

Alvarado's description of Luis Cabrera was as follows:

Among Carranza's principal lieutenants in manipulating the oncoming elections is Luis Cabrera, noted for his extreme hatred of America and its citizens in Mexico. Cabrera is a native of La Sierra de Puebla, and is about 43 years of age.

He is one of the shrewdest and most destructive men holding office under Carranza, and is secretary of the treasury.

Cabrera is hated, feared, and despised by Mexicans in general, even more so than is Carranza. Gen. Alvarado then said:

Cabrera should have been born in the fourth century, for he is a skeptic and does not believe in morality, and has no honor or integrity. He also feels an invincible attraction toward doing evil. He has been able to maintain himself as Carranza's lieutenant through his absolute submission and the fact that he satisfies the evil instincts of Carranza. No substitute can be found anywhere for Cabrera. Furthermore, Cabrera has been responsible for creating in Mexico more anti-American sentiment than any other Mexican in Mexico. Of this he has likewise had full knowledge, and it has met with his complete approval as far as Mexican anti-American policies are concerned.

Alvarado then, in his remarks regarding Manuel Aguirre Berlanga, Carranza's secretary of the interior, said, regarding this party, that he is the most servile agent that Carranza has for his proposed election frauds and other villanies. He is stupid, has no administrative qualifications, is not honest, and his only power consists in saying to Carranza:

My chief, I admire your talents and energy, and you are my perfect ideal of what a real ruler of Mexico should be.

Alvarado then described Ygnacio Bonillas, the Mexican Ambassador to the United States, which was written by Alvarado himself and handed to me in the presence of Gene Fowler, as his confidential views about Bonillas, as follows:

Ygnacio Bonillas was born in San Ygnacio, Sonora. He secured his early education in Tucson, Ariz., and his professional education in the Boston Institute of Technology. He is a mining engineer and is a specialist in his line.

He has no social conscience. He is little known in Mexico. His candidacy for the Presidency of Mexico is a scheme concocted by Carranza in order to keep himself (Carranza) in power. Even if Bonillas becomes President everybody knows that his candidacy is a farce. Bonillas is neither honest or conscientious, and has sold himself body and soul to the wishes of Carranza.

On March 17, 1920, Bonillas accepted at Nuevo Laredo, which is the Mexican township opposite Laredo, Tex., the nomination for the presidency of Mexico by the Civilista Party, which was tendered him by Gens. Federico Montez and Manuel Amaya.

Alvarado, continuing, said:

I knew when I talked to Bonillas in Washington, as I told you about before, that he was not telling the truth, and that he already a long time ago had made arrangements with Carranza to do Carranza's bidding in the next elections. I formerly had a great deal of confidence and respect for Bonillas; now I know him to be morally, politically, and in every other way—nothing. He is forever socially and politically dead in Mexico.

In my testimony regarding Bonillas and his attempts to interfere with legislation pending before the Foreign Relations Committee affecting Mexico, I should have mentioned at that time that in one of my several conferences with Bonillas and while "stringing" him

I told him that he was one of the greatest ambassadors Mexico ever had to the United States. He smiled and replied:

The best we ever had here, and whose example I have tried to follow, is Manuel Calero.

This was the ambassador of Madero. On February 3, 1913, Calero, who had just returned to Mexico from the United States, made what is said to have been the "most amazing speech by a man of his prominence before the Mexican Senate." He said:

I lied to the American Government for 10 months.

Among other Mexican Government officials that Alvarado described was Gen. Manuel M. Dieguez. Alvarado's description of him was as follows: He said that this was Carranza's present chief of operations in the north; that he never had amounted to anything before the revolution and was always known as an active agitator. President Diaz sent him to San Juan de Ulloa in 1906 for the strike at Cananea. He has stolen many thousands of dollars and is extremely rich, due to the revolution. He is decidedly overbearing to the poor, and is a brutal soldier, utterly without social conscience of any kind, without education or morality. He is a perfect type of a genuine "bad article."

Alvarado's statement regarding Pastor Rouaix, Carranza's secretary of public instruction, is as follows: That he is without energy and has no administrative ability. He is continually drunk and is notorious as a "money grabber." Carranza is fond of him because he has no opinion, nor does he talk, think, or feel. Whatever Carranza's ideas are, so are those of Pastor Rouaix.

His remarks regarding Candido Aguilar, Carranza's son-in-law and Mexican minister of foreign affairs, included the statement that Aguilar was an absolute nonentity, notoriously anti-American, and has never had any time to attend to any matters except with both hands to grab all property or money, dishonestly or otherwise, that he could lay his hands on. Furthermore, that it was generally understood among those who know Aguilar, that he is "off in the head"—crazy—and that during 1918 for a time everyone knew that he was insane. Aguilar's ability is nothing. He is a perfect tool and henchman for Carranza.

Alvarado then said, regarding Manuel Rodriguez Gutierrez, secretary of communications, that he was a man utterly stupid and without education or any ability; that he is an extremist and immoral, and his past great quality is that he has no opinion, feeling, or ability to think, except to say to Carranza, "Here I am; I do your bidding."

Alvarado's description, as written by him in his own language, of Pablo Gonzales is as follows:

That Gonzales was born in the State of Nuevo Leon and was a small business man before the revolution. During the revolution he has lost almost all of his battles through absolute military inability. A great many of his soldiers have been killed due to lack of military management. Due to his continual military defeats, he is popularly known in Mexico by the name of "Pablo Carreras," or the "hero of defeats."

Gonzales has no talent or administrative ability. Uprightness and morality are missing qualities in him. His greatest achievement was the murder of Zapata (the celebrated Mexican bandit).

This never would have been successful except by the deliberate assassination of his own men. Through one of Gonzales's officers, Col. Guajardo, Gon-

zales arranged that this colonel apparently would desert from the ranks of the Carrancistas, with some of his own men, to the forces of Zapata. This was done.

Zapata, in order to prove the fidelity of Col. Guajardo, the next day ordered the latter to attack a Carrancista garrison, which Guajardo did. In the meanwhile Guajardo had sent word to the garrison that he was to "pull off" a sham attack on them and that they were not to fire into his troops.

Guajardo then attacked the garrison, which, obeying Guajardo's orders, did not fire into the latter's force. Much to their surprise, Guajardo's soldiers fired directly into the garrison, killing and wounding a large number of them, and then took 74 prisoners and surrendered them to Zapata, who in turn ordered them to be shot immediately.

Guajardo lined up his force and deliberately, to carry through his plan, ordered his troops to immediately execute sentence on the 74 prisoners who were the comrades of the troops who fired the death-dealing volley. This gained the confidence of Zapata, who later came to pay Guajardo a visit at his headquarters. The visit resulted in Zapata being shot down from behind.

As soon as Zapata was dead, Gen. Pablo Gonzales claimed for himself the glory of this deed. Carranza immediately presented Gonzales with a present of 50,000 pesos and advanced Guajardo to the rank of brigadier general. All of Guajardo's subcommanders were promoted.

Gonzales, in the State of Morales, manipulated affairs whereby many thousands of acres of the finest ranch and farming lands in that State are now controlled by him. Gonzales is an extremely wealthy man, although before the revolution he had nothing, and the question is asked: "How did he secure same?" Everyone knows how, for it is through his manipulations in the army that he has stolen his wealth.

Through shrewd publicity and propaganda efforts of Pablo Gonzales's American agents in the United States many prominent officials at Washington and elsewhere have been led to believe that Gonzales, as a Mexican presidential possibility, is the best of the "crop" of aspirants as far as the interests of the United States are concerned.

During the World War Carranza, with his well-known ability to play both ends against the middle, instructed Gonzales to "come out strong" as a proally. This was done by Gonzales. Those who know Mexico fully understand that Gonzales could not have expressed his proally sentiments except by a prearranged plan with Carranza and with the latter's full knowledge, consent, and thorough approval.

Gonzales who headed Carranza's southward movement during Carranza's revolution, stopped for a time at Pachuca. While there he issued manifestos breathing love and patriotism for his people and pledged their protection. Meanwhile his soldiers looted the native shops and his officers outraged the girls and women there. A similar condition existed wherever Gonzales's troops were billeted.

Gonzales's military record, according to Alvarado, in Mexico has been a bloody one from the standpoint of the hundreds and hundreds of outrages perpetrated on the people of Mexico, and his officers and soldiers have raped, outraged, and committed similar crimes on thousands of Mexican girls and women.

As far as Gonzales's "love" and "belief" in the United States is concerned, same is entirely disproven by the speech of Gen. Gonzales in 1916, in which he said:

I do not approve Wilson's policy for a reason which is fundamental with me, as I believe it is with every honest man. Wilson's policy (the Mexican policy) is not frank. It is not clean. I do not reconcile the Pershing expedition with the bombastic and oft-repeated statements of President Wilson of his respect and sympathy for Mexico.

I wish that President Wilson would give proof of his friendship with deeds, or that he would be our open enemy and declare war on us, which is preferable

to his policy of double-dealing, overwhelming us on the one hand with honeyed words and protestations of sympathy, and on the other hand protecting our enemies and obstructing the consolidation of our Government.

In Mexico City, Pablo Gonzales has made a speciality of cultivating the friendship of Americans. During the early part of 1919, Gonzales, through various Americans at Mexico City, began to arrange his publicity plans as far as the United States was concerned. At that time I was approached by a prominent American lawyer having offices in Mexico City, who on July 23, 1919, in part wrote me as follows:

I suggest that you write a letter to Mr. Claude Dunning, American Club, Mexico City, specifying in a detailed way just what services you would be able to render in the way of popularizing Gen. Pablo Gonzales in America. You should state the papers that you can use, and also emphasize the fact that you could probably be able to do something big for him with the strong Republicans. You should also, in my judgment, put your offer on a strictly business basis. I do not know whether it would be wise for you to suggest what compensation you would desire. In the first letter. Mr. Dunning is a warm and intimate friend of mine. He will place your letter with Gen. Gonzales's manager, whom he knows very intimately.

On the date of June 25, 1919, I also received another letter from this party in Mexico City, which, in part, is as follows:

Gen. Pablo Gonzales is a man of good financial standing and is able to pay any reasonable price for the right kind of work. My suggestion is that you should put up to him just what he can expect for so many thousands of dollars per month, and how much he can expect for twice that amount. I have no ideas as to the prices charged for this kind of work, but he is willing to pay if he can get the right kind of publicity.

Alvarado's written description of Obregon stated as follows: That he was born in Siquisiva, Sonora. Before the Madero revolution he was a small farmer in that State. He began his political career as municipal president of Huatabampo, Sonora, where he organized a battalion of fellow citizens in order to fight Orozcosco in 1912. He carried out this campaign successfully and that of 1913 against Huerta. He was the active head of Carranza's campaign of 1915 against Villa. This resulted in complete victory for the Carrancistas. Obregon's enemies admit that he is a military leader of merit, but it is said that he has won his victories by utter disregard of death in battle of many thousands of his command.

After Obregon's campaign against Villa, Carranza appointed him minister of war and marine. Obregon is a man of limited education and even his friends state that he has but very little administrative ability.

There has been so much testimony given before the Fall committee that any remarks of mine regarding Obregon are hardly necessary. However, it is well to remember that Obregon was an active participant in all of Carranza's plots against the United States, and that he cooperated in same with great enthusiasm.

In my testimony regarding Carranza's Central American plots there has been shown quite a large number of original letters passing from various parties to and from Obregon. This Central American plot of Carranza's, in connection with Von Eckhardt, the German ambassador to Mexico, was to secure control of all Central America and to work in those countries at all times against the interests of the United States.

Wherever Obregon's troops campaigned under his personal command people of Mexico were robbed by them, churches were ransacked, thousands of women and girls were outraged by the officers and men of his command, and when Obregon led into Mexico City his Yaqui soldiers the metropolis was given over to complete looting by the Indians, and thousands of women and girls were outraged there.

Obregon, as commander of all Mexican forces, and later in his cabinet capacity, participated actively in all of Carranza's anti-American intrigues. Obregon ranked as one of the most extreme pro-German sympathizers in Mexico during this period. Likewise, he was one of the most celebrated "haters" of the United States. He was the close friend and associate of Von Eckhardt and was beloved by the German colony in Mexico City.

When Obregon entered Mexico City, flying the black flag of piracy, he made a contract with the I. W. W. During the World War, at a time when it seemed that Germany was succeeding, he wrote a book favoring the Prussian cause. In that work he approved the attitude and policies of Carranza to form a union among the Latin American nations to oppose the United States economically and otherwise.

About a year and a half ago Obregon began his publicity and propaganda campaign in the United States, engineered by American publicity men. He realized he would have to "flop" and become pro-American. He did this with much gusto and extensive advertising. His new protestations of love for the United States can be classed as "bunco talk."

Gen. Obregon's campaign manager in Mexico is Gen. Benjamin Hill, who during the early part of 1919 began seeking a publicity director in the United States. Dr. M. L. Espinosa, Avenue Morales 91, Mexico City, is assistant campaign manager for Gen. Obregon. At that time Obregon's presidential campaign plans, as far as propaganda was concerned, consisted of appointing a publicity representative in Cuba, Porto Rico, British Honduras, each of the five Central American countries, Panama, each of the South American countries, and in England, France, Germany, Spain, and the United States.

During the early part of 1919 I received several letters from a friend of mine in Mexico City who stated that he had talked to Dr. Espinosa and Gen. Benjamin Hill, and that they were very anxious to secure a publicity director in the United States who could produce results. In another part of my testimony I will in detail outline the activities of several parties in New York City, who, I understand, from reliable witnesses, had conducted active negotiations with representatives of Obregon to handle a publicity and propaganda fund to popularize him throughout the United States.

One reason for Alvarado talking so frankly to me was due to the fact that he thought that from a newspaper standpoint I could be of a great deal of benefit to him and to Obregon and for their political party, from a publicity standpoint, throughout the United States; and I was to prepare a written proposition in regard to handling publicity work for them which I was to present to Alvarado, which, however, I never did.

Alvarado, continuing his conversation with me, said that Obregon's right-hand bower and the man who will really start the revolutionary movement for him is Gen. P. Elias Calles, who was born

in Guymas, Sonora. Before the Carranza revolution. Calles was a school-teacher, and later was a small business man, and, like Obregon, had little worldly goods. His political career began in 1911, when he became part of the Carranza movement against Huerta.

It will be remembered that Carranza appointed Calles as military governor and commander of Sonora, and later, for a short while, had him as a member of his cabinet. Calles claims to have resigned due to not being able to stomach Carranza's plans and policies.

When Calles was governor of Sonora, he is said to have established a record in that State which still stands regarding his total indifference as to the lives and property of the unfortunate foreigners having investments in Sonora.

Carranza's biography, according to Gen Alvarado, corresponds to that of Satan. Alvarado said:

Carranza, years ago, was a school teacher in his native State, Coahuila, at 40 pesos (\$20) a month. He had no property. In those days Carranza decked himself out as a grandee and strutted about his little village for the benefit of the señoritas, who, it is said, didn't admire his whiskers, and Carranza, even in those days, as far as the señoritas were concerned, amounted to nothing.

Alvarado, continuing, said:

His whiskers (Carranza's) were then like Carranza's heart is now—coal black.

Even in those days, Alvarado declared, Carranza was known as an extremist, and his own relatives are said to have regarded him as "missing in the head."

Alvarado, continuing, said that Carranza manipulated his election to the State legislature of Coahuila. Three months later his neighbors and friends were astonished to learn that Carranza had accumulated sufficient funds to purchase a large ranch.

Carranza's rise in politics was gradual, said Alvarado, who added: "And his rise in morality remained stationary."

Carranza finally worked his way into the governorship of Coahuila. When Madero was president, Carranza, as well as other governors, received from the Federal treasury large monthly allowances for the payment of the State troops. He is charged with having only a limited number of troops in his State, and the balance of the pay roll for a much larger number went into his pockets and those of his officials.

This resulted in a disagreement between Carranza and the group surrounding President Madero. Carranza's monthly troop allowance was cut off, and friction between Carranza and Madero led to the formulation of plans by Carranza to revolt against Madero. Before these plans could be put through, Madero was assassinated and Carranza's advisers told him of the bad impression Madero's murder had produced in the United States.

Alvarado, continuing, said that Carranza realized his opportunity was at hand. He proclaimed loudly, especially where American ears were open, that his purpose of revolting against Huerta was to revenge the "shameful murder" of his "beloved chief," Madero.

Alvarado, continuing, said that all of Carranza's promises as first chief and as President have never been carried out. His favorite and

only weapons are corruption and intrigues. He has absolutely no conception of morality, and his only faith lies in the strength of money and the strength of his arms. He—Alvarado—continued:

Carranza is a dangerous lunatic, caused by his lust for power, irrespective of consequences to the land which gave him birth. The irresponsible class of Mexicans Carranza needs and has for his infamous work. He and they care nothing for reforms or organization of the government. Their only desire is crime, wine, women, money, and immunity from Carranza for their vices, which he invariably extends to them.

In order to serve Carranza as he wants to be served, a man must have lost all of his morality and dignity, and must have acquired a character of a blind instrument.

The administration of Carranza never has been and never will be a progressive one. His government has been nothing but a conspiracy to keep Carranza with his circle of scoundrels in power. Carranza was placed in power by those who believed there was a great opportunity in Mexico for reforms by the people, and which would be a benefit to all. He has betrayed in every way the people who brought him to power. This line of conduct on his part is treason of the blackest kind to his country, party, and friends.

The circumstances of Carranza's betrayal to his country and friends are blacker and more treacherous than that of Benedict Arnold. In Carranza's criminal efforts against all of his pledges, guaranties, promises, and even the laws which he himself made to remain in power, he has employed all of the resources of the country—money as well as railroads, post offices, cable offices, the army, police, and navy, and in every other Federal, State, or municipal department of Mexico.

It was not worth while, as all Mexicans now know, to have made a revolution in order that traitors like Carranza and his henchmen should now be the dictators of Mexico.

In another interview with Alvarado after he had made his various statements regarding Carranza, I persuaded him to write a description of Carranza and his activities and of conditions in Mexico, and the following was written by Alvarado, and the translation of same is from the copy made by Alvarado:

Carranza has never been a revolutionary or reformer. Neither in his conversation nor in his public documents or private documents has he ever spoken about reform, nor in anything that was not the reestablishment of constitutional order.

When he abandoned Mexico in 1914, he considered himself lost and, as the final recourse, he began to attack the Americans who were in Vera Cruz, and for that purpose he placed an ultimatum before them to leave that port, ordering Gen. Candido Aguillar that if on such and such a date they had not embarked, he would attack them. Fortunately, the Americans retired and so there was avoided the occurrence that this man should bring upon his country a foreign war with the hope of consolidating a power that he hoped to lose. If his patriotic sentiments had been true, what was the use of his hoping to assume that energetic attitude until the rupture with Villa was complete? Why did he not demand the evacuation of domestic territory on the day he occupied the city of Mexico, or even before? He assumed a power of bitter patriotism as long as he saw himself lost, because he believed that Villa would follow him as far as Vera Cruz, and thought that by attacking the invaders he would become the palatine of national defense, and thus avoided that Villa should attack him.

This proves nothing more than this man is an unscrupulous man and is capable of doing anything in order to retain his power.

In Vera Cruz there were instances of fear and he was really constrained by the revolutionary elements there to issue two or three decrees of a reformist character, but he never thought of reforming them because he has been the insurmountable obstacle to the carrying out of these decrees.

We have the proof in the fact that the people have not received the least advantage, either in lands or in arrangements regarding their work, neither in education or hygiene or in any other sense.

The only thing that Carranza has in mind is not to leave the power he has in hand, and for that purpose he has continued to intrigue without let-up. His

favorite and only weapons are corruption and intrigue; he has absolutely no conception of moral force nor does he believe that there are any honorable men, and his only faith lies in the strength of money and in the strength of his arms.

Carranza is a dangerous lunatic whose insanity consists in not wishing to give up any power at all that should be consequential to the country.

Let us see how he has proceeded latterly. In the first place he has practiced without let-up the maxim, "divide y reinaras". (divide, and you will rule.) In every State he has tried to maintain the discord between local parties or between the governor and the chief of the military. What he is most angered at is that there is a place in the country where everything is quiet and there are no difficulties. If, under any circumstances, in any State there is peace and progress, he does not rest until he creates difficulties that make his intervention necessary. There are Sonora, Tamaulipas, Nayarit, Michoacan, Coahuila, Yucatan, Tabasco, Mexico, San Luis Potosi, and there are all the rest of the States. He has tried with the force that his legality gives him, and using the army and the money of the nation to render null and void every element of real value and substitute elements of the most servile and unconditional character, types of men whose only aim is to have money with full hands and to have impunity for their misdeeds.

Classes of elements that Carranza needs for his infamous work, nor does he care about reforms or organizations or morality or anything else except crime and intemperance, his business, and his abuses.

Really the mercenaries are capable of doing anything and having wine, women, money, and impunity, and they do not care about anything else, and all they look for is the satisfaction of their vices.

Thus, slowly but continuously, Carranza has eliminated everything that is about to feel, think, have an opinion, or any act that might reveal his personality so that to-day he is unconditionally the only one left in military and civil life.

In order to serve Carranza at these latter times, a man must have lost the last vestige of morality and dignity and he must have acquired a character of a blind instrument without any other qualification than that of passive obedience or the servility that goes as far as ignominy.

This is his work of corruption and this is what he required most. He has put his fingers into all the elections, imposing upon the people by force and each time more imprudently against the governors and against the manifest wish of the people until he now counts with a great majority of unconditional bands of villains in the States and when in spite of his intrigues such as Zacatecas, Michoacan, Tabasco, Sonora, and Yucatan, he has not succeeded in imposing on the governor whatever he desired to have him do, but does not tire out in creating continuous difficulties.

In Tabasco he did everything he could in order to oppress the governor, and when he did not succeed because of the energetic opposition of the people, he put down the people with the army and delivered the governor to the friends of his protection and if he had to unmake this infamy, it was because of the great noise made by the independent press. There was no other remedy than to undo the affair, but the federal chief was not punished or was there even any intention of judicial investigation.

Having been defeated in these territories, he left not a single moment free from intrigue against that governor.

The case of Yucatan is also typical of his manner of working. In the rich and prosperous State and with a government that did not depend upon him, but could not make him agree with them, and there was absolutely no spring in the government, in economic life, and in military force that he did not destroy the force of that State, but succeeded only in humiliating it and bringing it to misery and disorder. Latterly, in order to bring his work to a crowning, he imposed a legislature by force of arms and with the greatest haughtiness and with the greatest disregard of the laws of the State, but sent military chiefs with orders to terrorize the people. Faith wishes that the consequences of conduct, criminal and treasonable, should not come to a head.

candidates of a little Napoleon and the secret police and the espionage of the third section of the minister of the interior of Russia that as we, too, know was a blind force that went as far as the marrow of the Russians because there was to one free from it and was the agent of terror, persecutions, deportations to Siberia, of dungeons, of fortresses, and of death.

I again mentioned the fact to Alvarado that many parties said he himself had Mexican presidential aspirations. His answer was that he had many enemies in Mexico, and for a time hoped to be able to become an actual presidential candidate, but that now he had given up such intentions.

My report under the name of Cresse, dated New Orleans, La., June 20, 1919, at that time advised the Department of Justice and the State Department that Alvarado was actively planning to become Mexican presidential candidate. Through a confidential friend of mine in Mexico City, I at that time learned from this American that Alvarado was most anxious to form a connection in the United States which would be able to extend publicity and propaganda among prominent officials at Washington to create sentiment regarding Alvarado as a future Mexican president. The report above mentioned sent forward to the Department of Justice, is as follows:

Confidential report re Gen. Salvador Alvarado, Mexican presidential candidate, and his efforts in Mexico and throughout the United States to secure publicity for his campaign:

Gen. Alvarado several months ago organized a company who are the publishers of *El Heraldo De Mexico*. This daily paper is in reality owned by Gen. Alvarado, and has an abundance of financial backing, and its announced purpose is to become the principal paper in the Mexican Republic. In each of its daily issues one page is published in English. The paper is under the direction and management of Modesto G. Rolland, who is also said to be Alvarado's campaign manager. It is published in Mexico City at Apartado 5272.

The real purpose of Alvarado having started the *El Heraldo De Mexico* is through its columns to spread propaganda regarding Alvarado as a Mexican presidential candidate. This paper I understand is now making, or will at an early date, proposition to practically every daily paper and prominent weekly and monthly magazine throughout the United States, to be put on their exchange list. Alvarado hoping in this way to secure hundreds of columns of news items and editorials each month regarding himself. If he can succeed in carrying out his idea along these lines his supporters believe that the news items and editorials published in various papers and magazines throughout the United States will tend to popularize him with the people of the United States. Alvarado also proposes to appoint a publicity director in the United States, and have been asked to take this matter up with Modesto G. Rolland.

Gen. Alvarado is best known throughout Mexico as the ex-governor of Yucatan. Realizing that the next president of Mexico would have to be a military man, therefore with that idea in view, he resigned the governorship of Yucatan during the early part of 1918, and went to Mexico City, where, it is said, he took an oath before President Carranza that he would go into the field as general commanding a large number of Mexican troops and would capture or kill Gen. Felix Diaz and likewise completely break up the Felicista and Gen. Manuel Pelaez revolutionary movements in the southern part of Mexico or die in the attempt to do so.

During the latter part of March, 1918, Alvarado at the head of a large body of Mexican troops had a fight extending over a period of several days with the Felicista or Pelaez forces at or near Minatitlan, which is near the Tabasco border. This fight resulted in Gen. Alvarado's forces being badly defeated and cut up by the revolutionary forces, and at that time the revolutionary forces likewise captured from Gen. Alvarado's troops a large quantity of arms and ammunition, commissary supplies, and cash. Many of Alvarado's men deserted, and joined the revolutionary forces. Gen. Alvarado then returned to Mexico City and outfitted another expedition and again took the field, but to date has never had another decisive fight with the Felicistas or Pelaez forces.

Copy of this report furnished to Washington, New Orleans, San Antonio—State Department.

Alvarado then prepared me a typewritten statement regarding himself, which is as follows:

Gen. Salvador Alvarado, was born in Sinaloa. He was reared in Sonora. He has had a fair amount of instruction, has some administrative capacity and organizing ability.

He is strong in his intentions, energetic, tenacious, and tireless in his work. He has dedicated all his time to studying the problems of his country and is a Mexican in belief, who knows the United States most.

Considering the large sums of money that he managed in Yucatan, there was a time when Gen. Alvarado thought he could make himself rich, but those who know him more closely know that he lives in misery. His worst enemies accuse him of everything, but no one has ever dared say he is not honest.

Before the revolution he was a business man and a contractor of railway construction. He made the campaign against Diaz, Orozco, Huerta, Villa, and has never been defeated.

Alvarado likewise told me that he had served in the Carranzista army against Felix Diaz, Orozco, Huerta, Villa, and in other minor engagements. He proudly claimed never to have been defeated, although the Felicista revolutionists make the counterclaim that in a battle between them and Alvarado's forces the latter was defeated and barely escaped with his wearing apparel.

It is very noticeable that Alvarado in the biography written by himself, but intended to be circulated as an anonymous and impersonal laudatory work, said that he had handled large sums of money in Yucatan, and there was a time when he thought he could make himself rich, but those who know him closely know that he lives in misery. His worst enemies accuse him of everything, but no one ever has dared to say that he is not honest.

Alvarado's "misery" consists in maintaining a luxuriant suite of rooms in a fashionable hotel (The Hotel Alexandria at One hundred and third Street), dining often and well, and enjoying himself generally at a variety of entertainments, sporting stylish clothes, silk shirts, and visiting the barber shop for the maximum amount of tonsorial attention.

Those interested in Alvarado and many of his enemies say that prior to the revolution he had but very little visible wealth, and they now ask where did the money come from to support Alvarado's misery, also for the ownership of his daily newspaper, *El Herald*, with its modern equipment, and for other properties he is alleged to own.

When Madero started his revolution against Porfirio Diaz in 1910, which was successful, Yucatan, who had not participated in this revolution, recognized the Madero administration. After Madero's

fall they then accepted Huerta's government. In 1914 Carranza sent as his first governor to Yucatan, Gen. Eleuterio Avila. The people of Yucatan peacefully accepted Avila as their governor, but shortly after his arrival he imposed forced loans on the planters and business men of Yucatan for several millions of pesos, which was promptly paid and part of which went into the Carranzista treasury. As the prospects for loot of all kinds in Yucatan were good, and others close to Carranza forced the recall of Avila to Mexico City, Gen. Toribio de los Santos, in Avila's place, was appointed acting governor by Carranza. His despotic rule aroused the hostility of the people of Yucatan, and he then made wholesale arrests of its leading citizens and forced further large loans from the people. Within six weeks after having been inaugurated his iron rule resulted in an uprising of the people in the interior. Santos sent Col. Abel Ortiz Argumendo to suppress this movement. Argumendo, when he arrived at the point of the uprising, immediately deserted with his force and joined the rebels. With an ever-increasing force of revolutionists he marched on Merida and took possession of same. De los Santos, to save his life, fled to the State of Campeche.

The people of Yucatan assured Carranza at this time that the uprising was not against Carranza and that they were loyal to his Government and were perfectly willing to pay their taxes and duties as heretofore. They merely asked to have the privilege of naming their own governor. Carranza's answer was to send Gen. Salvador Alvarado with about 8,000 troops to Yucatan to force possession of the government from Argumendo.

Alvarado and his army landed in the State of Campeche, and from there marched into Yucatan. Alvarado sent announcements ahead saying that through blood and fire he would arrive in Merida. This resulted in a state of terror in Merida and other parts of Yucatan. Many hundreds of the Yucatecos fled that State. Alvarado immediately seized all of the railroads and operated them from that time on as Government property. He likewise took possession of the Comision Regladora del Mercado de Henequen (Ruling Commission of the Henequen Market).

This organization in the old days of peace in Yucatan was owned and controlled by the growers of henequen, and its functions were to regulate the operation of supply and demand of henequen; and when the supply exceeded the demand the Regladora would purchase same and hold it until the demand caught up with the supply. Up to 1910 or 1911 the price of the henequen fiber averaged $2\frac{1}{2}$ cents to about 6 cents per pound, f. o. b. New York.

Alvarado immediately issued a decree that the planters could only sell their henequen to the Regladora. He likewise ordered his railroad director to refuse transportation of any henequen consigned to anybody except the Regladora. This immediately paralyzed that industry and resulted in a tremendous quantity of henequen being accumulated. He fixed an arbitrary price, which was around 4 cents per pound.

Alvarado then sent Dr. Victor A. Rendon and Julio Rendon to the United States, where they succeeded in perfecting financial arrangements with a group of bankers, who agreed to advance for a consideration in addition to interest, satisfactory loans on all henequen

stored in warehouses in the United States. Alvarado then shipped to the United States tremendous quantities of henequen, which was warehoused and upon which he secured loans.

When Dr. Victor A. Rendon came to the United States I got in with him and my reports at that time to the Department of Justice gave them in advance full information as to the plans and activities of Rendon and his associates. My testimony before the committee, if desired, will in detail bring out many of Rendon's activities at that time.

At the start of this proposition henequen was quoted at from 7 to 8 cents per pound. In 1919, due to Alvarado's methods, so it is said, the price of henequen in the United States had advanced to 19½ cents per pound. This resulted in the American farmers paying for their binder twine, which is used in wheat fields, the following amounts which were in excess of amounts paid by them for the same quality of twine in previous years:

Excess in 1916.....	\$7, 125, 000
Excess in 1917.....	33, 375, 000
Excess in 1918.....	42, 000, 000
Excess in 1919.....	30, 000, 000

Making a total of \$112,500,000 that American farmers were forced to pay for their binder twine in excess of the amounts they would naturally have been called upon to pay had it not been for the existence of Alvarado's management and monopoly of the Regladora.

The henequen planters of Yucatan derived but very little benefit from the large excess profits mentioned. Alvarado and his associates organized many subsidiary companies, likewise are charged with having spent enormous sums of money for advertising and propaganda work in the United States, much of which was of a personal character. Alvarado also organized a company called The Compania de Fomento del Sureste, of which Alvarado was president, and which he absolutely controlled. The announced object of this company was to import everything required by the natives of Yucatan, and which was to exclude from all participation and commerce of private firms and individuals. The Regladora, acting under Alvarado's orders, spent \$7,000,000 in the purchase of several small steamers. In many other ways the funds of the Regladora drained from the pockets of the farmers and the users of bread in the United States, and were according to the planters of Yucatan, dissipated in various visionary schemes.

The henequen planters meanwhile were getting poorer, although they realized that henequen was being sold in the United States at fabulous prices. They became restless and threatened trouble for the Alvarado government. Alvarado's iron rule resulted in the organization in Yucatan of the Ligas de Resistencia (League of Resistance), which conducted a reign of terror throughout Yucatan. Those who opposed the plans of the Government were persecuted in many ways. On one occasion two men, who had met the displeasure of the Government, were hanged to an oak tree on the principal boulevard of Merida, and their bodies were allowed to swing from the tree from sunrise to sunset. Thereafter, those who showed resentment or threatened trouble were told to remember the oak tree.

When Carranza wrecked all of the banking institutions in Mexico those in Yucatan went with the others. The Regladora then issued

its own currency, all of which in the end resulted to its holders in large losses.

About the middle of 1919 the Regladora, having ruined nearly all of the planters in Yucatan, and when it had reached the point where it was practically bankrupt, was turned back to the planters.

The production of henequen in 1900 was 500,000 bales; in 1914 the production, prior to Alvarado's régime, was 1,026,000 bales. In 1918 the production had declined to 805,000 bales, and in 1919 to less than 700,000 bales. In other words, during Alvarado's régime the production of henequen declined over 30 per cent. If production had been handled right by the Regladora under Alvarado it is said that it annually would have been in excess of 1,500,000 bales. Fully 70 per cent of the binder twine which the farmers of the United States use is made from Yucatan sisal or henequen.

Alvarado's bloody rule in Yucatan is too well known, and I presume more than sufficient testimony has been introduced before the committee regarding conditions in Yucatan under his administration than to make necessary any additional remarks by me about Yucatan under Alvarado's government. It is, however, a known fact and many of my reports bear this out, that Alvarado's pro-German activities in Yucatan were during the European war in many ways detrimental to the interests of the United States.

Dictatorship was no child's play with Alvarado. He was a real one for giving orders and combining himself with the three governmental functions, the legislature, the judiciary, and the executive. In Merida the foreigners and Yucatecos used Alvarado's name with bated breath for his capital was filled with spies and soldiers.

Accompanied by Gene Fowler on Saturday, March 20, again called at the Alexandria Hotel to see Alvarado, who was not in. Therefore on Sunday, March 21, Fowler and myself again went to Alvarado's hotel and met Alvarado as he was coming out of the dining room at 2.30, accompanied by his wife and another party, to whom we were not introduced. With Alvarado and his party we went to his rooms where he handed me a written memorandum containing information regarding many of the facts mentioned hereinbefore.

(Whereupon at 4.45 p. m. the committee adjourned to meet again on Tuesday, May 18, 1920, at 11 o'clock a. m.)

INVESTIGATION OF MEXICAN AFFAIRS.

TUESDAY, MAY 18, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The committee met at 11 a. m. pursuant to adjournment, in room 128, Senate Office Building, Senator Frank B. Brandegee presiding temporarily, in the absence of the chairman.

Senator BRANDEGEE. Senator Fall is engaged in other matters for a few minutes, but has asked me to go ahead with the hearing for the purpose of saving time. So you may proceed, Mr. Jones.

TESTIMONY OF MR. CHARLES E. JONES—Resumed.

Mr. JONES. About the 1st of October, 1919, in Washington, at the Washington Hotel, I discussed with several parties my purpose of endeavoring to dig out from Mexican Ambassador Bonillas and other Mexican Government officials the exact plans that they had at that time in regard to carrying through their propaganda and other activities throughout the United States. The parties to whom I talked, I will give their names in private to Senator Brandegee and Senator Fall.

Due to my former connection with the Mexican Government as confidential agent to the Mexican foreign office I, therefore, was on friendly terms with the majority of the Mexican officials throughout the United States. Ramon P. de Negri, at that time Mexican consul general in New York City, I had met once before, while he was serving as consul at San Francisco several years ago. The consul general at New Orleans, Pesguria, however, was particularly friendly with me. Therefore, on October 1, 1919, I telegraphed Pesguria to send De Negri a strong telegram regarding myself, likewise another telegram to be presented by me to De Negri. I file with the committee a carbon copy of the telegram of October, 1919, stamped by the Western Union to Pesguria at New Orleans; and a telegram was sent to De Negri in New York by Pesguria, and also one to myself.

On October 22, at 4 p. m., I presented the telegram sent me by Pesguria to De Negri in his office on the nineteenth floor of the Tribune Building.

I likewise showed him all of my various letters, etc., which proved my previous connection with the Mexican Government. De Negri said that he remembered me and knew of me and that I was just the man the Mexican Government needed and was looking for, due to the

fact that the enemies of Mexico had been and were now more active than ever before; and that with their assistance and following out their suggestions I could be of the greatest value to them. He at this time in a most insulting manner, referred to the National Association for the Protection of American Rights in Mexico, Senator Fall and his committee, Capt. Hanson, Secretary of State Lansing, Mr. Buckley, and many of the Mexican revolutionists. He said that through detective agencies and their own secret service men they had secured a great deal of information regarding what he termed was the dirty work of the parties mentioned. He then asked me if I knew all of the parties that he had referred to, and I, of course, told him that I did, and that I likewise thought his opinions regarding these parties were absolutely correct.

My brother, N. T. Jones, and myself fully sympathized with his ideas and handed him a lot of hot air as to what we could do for the Mexican Government, etc. He, De Negri, became very enthusiastic regarding the results that could be produced, and said that he would immediately telephone Ambassador Bonillas. He then asked us to return to his office at the Mexican Consulate in New York at 4 p. m., on October 23.

On that date we again saw De Negri at his office, and he was far more frank in his conversation than he had been on the previous day. He said that if he and ourselves could manipulate matters so that all those whom he termed were the enemies of his government among the parties mentioned in our first conversation with him and likewise the revolutionary enemies, could be discredited, disgraced, put in jail or deported from the United States, that it would immediately settle the question of the ever-increasing agitation against Mexico. He said that his government was willing to spend a great deal of money to have this done. He then requested me to leave with him several of the letters which I had shown him from other Mexican Government officials, likewise from other parties, regarding myself. He then asked me to show him some of the various papers and documents that I had regarding the activities of their Mexican revolutionary enemies, which I also showed to him. He asked me to again call at his office on Friday, October 24, at 4 p. m.

My brother and myself arrived there at that time, and he said that he had talked to Bonillas by telephone and that Bonillas had instructed him to come over to Washington on the following day to go over the entire matter with him. He then said that he would leave New York on Saturday afternoon, October 25, for Washington, and that he would go over the entire matter with Bonillas at the Mexican Embassy in Washington on October 26, and that we were to be sure and see him at his office in New York on Monday, October 27, at 4 p. m.

The CHAIRMAN. What year was that?

Mr. JONES. 1919. We arrived there on the date and hour he requested, and De Negri introduced us to Seguin, his vice consul and who formerly had been connected with De Negri while he was Consul General for Mexico at San Francisco. Seguin is a son of the former Mexican consul at New Orleans and San Antonio, and now consul general for Mexico at Eagle Pass, Tex., and who prior to the Carranza revolt is said to have had no wealth of any kind but who

now, so it is said, is alleged to be worth from \$150,000 to \$200,000, and owns several very valuable pieces of property at Eagle Pass, Tex. Seguin, while at San Antonio and at Eagle Pass, Tex., was known to be very active in smuggling arms and ammunition out of the United States, as will be shown hereinafter. He is likewise known to be extremely anti-American. That refers both to the father and son.

My report of May 13, 1918, forwarded to the State Department and the Department of Justice, under my department code name of Creese, the title of which is "Regarding M. G. Seguin, Mexican consul at San Antonio, Tex.," reads as follows:

While at Eagle Pass learned that Sequin is alleged to have been purchasing in small quantities 30-30 cartridges at San Antonio, Tex., or in other places, and has had these cartridges shipped or carried to Eagle Pass, Tex., where they are alleged to have been smuggled over the border into Mexico, by or through the assistance of R. F. Vaughn, of the Eagle Pass Lumber Co. Vaughn is also connected with the Eagle Pass Grocery Co. The cartridges if in reality any have been smuggled, or are yet to be smuggled over the border by Vaughn, are supposed to be packed in other goods shipped to Piedras Negras and other parts of Mexico by the various concerns Vaughn is connected with.

While at the military headquarters or barracks of Gen. Poraldi, in Piedras Negras, Mexico, on the afternoon of May 3 saw six new Winchester 30-30 carbines which apparently have never been used, and were just unpacked for they still had the original factory grease and shipping tags on them.

Discussed this matter with Mr. Beverley, special agent in charge your Eagle Pass office, and he has this matter well in hand and is thoroughly competent and capable of handling this situation, provided Vaughn, Seguin, or anybody else attempts to run stuff of that kind over the border.

Seguin, while former Mexican consul at Eagle Pass, made a great deal of money in buying arms and ammunition for the Carranza Government, and is said to have been responsible for a good deal of it having been run over the border into Mexico after the United States embargo was put on regarding arms and ammunition going into Mexico.

In connection with this, I might state that on September 25, 1918, and on November 13, 1918, I made reports to the Department of Justice on the smuggling of ammunition from San Antonio and other places into Mexico, in which Seguin is mentioned.

The CHAIRMAN. The reports may be printed in the appendix to your testimony.

Mr. JONES. In our conversation with de Negri at his office on the afternoon of October 27, he said that Bonillas had told him that using me to make public the information which they had regarding the National Association for the Protection of American Rights in Mexico, the Fall committee, Capt. Hanson, Buckley, and others, and which they later could secure and which I also was to secure, it would result in disgracing all of the principal parties implicated, as mentioned, and would likewise create sympathy for the Mexican Government and eliminate a great deal of the intervention propaganda; that it was vitally necessary for the Mexican Government to immediately employ me and pay me very liberally for the work they wanted done. De Negri said, "It will be necessary for you to go to Mexico City to talk to President Carranza and Luis Cabrera personally regarding this matter, and Mr. Seguin will accompany you. It will likewise be necessary for you to take all of the papers and documents you have regarding the activities of the Mexican revolutionists with you so that President Carranza

can personally see and examine these." He then said, "You should leave at once on this trip."

Thinking that there is always a chance, that these Mexicans might have been wise to my plans to secure all of the information possible from them and then use it against them, or might likewise have known of my former work for the Department of Justice, or wanted to have me take all of the papers and documents owned by me regarding the activities of their Mexican revolutionary enemies into Mexico where they would then be confiscated by the Mexican Government or taken away from me; I, at this suggestion of De Negri's in regard to taking the papers to Mexico, told him that I could not spare the time to make the trip to Mexico City. He said at this time, "Then, if you are unable to give the time necessary to go to Mexico City, I can arrange it in another manner whereby Seguin, your brother, and yourself will go to Nuevo Laredo, Mexico, and there meet an assistant secretary of the Mexican foreign office, who, on behalf of President Carranza, will make the necessary financial arrangements with you." De Negri then said that it would be necessary to enter into this agreement on Mexican soil, due to the fact that his work, Seguin's, Bonillas's, and our in combination would cause trouble for a great many prominent people, and that it would get them, the Mexican officials, in bad if this arrangement was entered into in the United States. I then agreed to make the trip to Nuevo Laredo, and asked him what he and the ambassador had agreed to pay for these papers and documents regarding the Mexican revolutionists, also for the work when wanted done to ruin, disgrace, and discredit the various Americans that he positively said, irrespective of cost, they proposed to put out of business.

De Negri said that he and the ambassador had agreed to recommend as a most vital expenditure \$40,000, payable when we surrendered to them the Mexican revolutionary papers and documents; and that all of the necessary expenses of conducting the work would be paid, and that my brother and myself would each receive a salary of \$2,000. He became very enthusiastic at this moment and said, "If you will put the National Association in an embarrassing position, and this can be done by using the information we have already secured—and the same applies to the Fall committee, Capt. Hanson, Mr. Doheny, and other members of the oil group—then, in that event, we would be willing to pay up to \$100,000 after these results have been secured, and that you will also have many big commercial opportunities open up to you in Mexico if you succeed in doing what we want done."

My brother and myself, continuing our play of course, fully sympathized with De Negri's remarks and opinions, which resulted in both Seguin and De Negri repeatedly making the strongest and most insulting remarks about the honor and integrity, etc., of Senator Fall, Capt. Hanson, and other members of the Fall committee, the oil group, the National Association for the Protection of American Rights in Mexico, etc. The remarks of these Mexicans showed the most extreme hatred and contempt for these parties and for the United States. De Negri, likewise, when I brought around the question of intervention, said, "All right; just wait; some day we

will show the United States what we can do, and we will likewise teach these Americans who are plotting against us a lesson they will never forget."

In that connection it might be well to insert in the record that Ramon P. de Negri is now said to be acting as commercial agent, which is practically the same as consul general, in New York City for the present Mexican revolutionists.

At De Negri's request we called at his office again on October 28, 29, 30, and 31, and November 1, 3, and 4. At each of these times De Negri again repeatedly expressed his determination, likewise that of Bonillas, and the Government of Mexico, to ruin everybody who was opposed to their plans.

On the morning of October 4 we received from Seguin, the vice consul, approximately \$350 as payment for the expenses of the trip to Laredo. We gave him a receipt for same, and he said that the balance, which would make a total of \$602.40, the estimated expenses of the trip to Laredo and return to New York, would be handed by him to me at Laredo, Tex. On Saturday, November 1, Seguin, according to his plans at that time, was to accompany us on the trip. However, on Monday, November 3, he said that he would have to leave the following day, November 4. My brother and myself left New York for Washington on November 3 and arrived in Laredo, Tex., on November 7 at 3 p. m. We registered at the Hotel Bender. Seguin was to arrive in Laredo on Saturday, November 8. He, however, did not arrive there, so he said, until Sunday morning, November 9. He called at our room at the Hotel Bender on that morning at 10 a. m. and handed me \$250 to \$300, which was the balance to make up the total of \$602.40.

We discussed at that time with Seguin the details of the interview that we were to have with the representative of the Mexican foreign office who, so Seguin said, was on his way to Nuevo Laredo. Seguin was very enthusiastic as to the meeting with this party and said, "It will be a big thing for De Negri and myself to be known in Mexican Government circles as the two parties who are going to ruin all of the big and well-known enemies of Mexico in the United States." He said, "Don't hesitate to promise this Mexican foreign office representative to fully comply with his desires in regard to disgracing and ruining Senator Fall and other members of the Fall committee, Capt. Hanson, and various members of the oil group, the National Association for the Protection of American Rights in Mexico, and others." He then said that one of the biggest and strongest men in Washington, who was very close to the Democratic administration—Mr. Charles Douglas, their confidential legal adviser—had told Bonillas that the State Department was most anxious to discredit the activities of the Fall committee, the National Association for the Protection of American Rights in Mexico, and others, likewise, that something would drop pretty soon which would cause a sensation and which would involve certain Senators and Congressmen, likewise various parties connected with the Department of Justice, etc., who had been cooperating with the enemies of Mexico.

On my way through Washington on November 4 I called at the Department of Justice, and at that time told Capt. Burke, Chief of the Bureau of Investigation, regarding my negotiations with the

Mexican Government, and that I was on my way to Laredo, Tex., to meet some of their officials.

Seguin, after spending probably 30 to 40 minutes with us, said as he left that he would call at the hotel for me at 10 a. m. Monday, which he did; and at this time I was introduced to a Mexican by the name of Pena who Seguin said was vice consul at Laredo, Tex. Pena and Seguin then left the Hotel Bender, and at 12.30 returned to the hotel, where we all had lunch together at which time both Pena and Seguin consistently knocked and knived the United States and many Americans.

While at lunch Seguin said that he had just had a telegraphic conference with the Mexican foreign office at Mexico City, and that they had told him that the representative, who was to meet us at Nuevo Laredo, was unable to leave Mexico City; therefore that it would be necessary for Seguin, my brother, and myself to at once come to Mexico City to settle the entire matter. I asked him how we could get my Mexican revolutionary papers and documents over the river, due to the fact that they were packed in a trunk without the customs and immigration authorities seeing them. His answer was, "Leave that to Pena and myself; we can smuggle them over without any trouble as we have done whisky, cigars, and large quantities of other papers and documents."

As I did not care at this time to go to Mexico City, nor under any circumstances would I have taken the Mexican revolutionary papers and documents into Mexico, I therefore told these Mexicans that I did not see how I could go to Mexico City due to the fact that I did not have any passport. Seguin then said, "Passport hell; get a temporary permit card for one day across the river, and come that way." I told him that there was nothing doing, for when I wanted to come back into the United States I might have trouble. He then said that the immigration inspector at Laredo had the authority to issue an emergency passport, and that he and Pena would go with me to the immigration inspector and guarantee that emergency passports were necessary for my brother and myself.

Blocking this new plan of Seguin's, my brother therefore telephoned to Mr. Lawrence of the Department of Justice, who I formerly had known, explaining the circumstances of the emergency passport to him, and requesting him to tell Mr. J. E. Trout, the immigration inspector, that when Pena and Seguin, my brother and myself called at his office to assure the emergency passports, that Trout was to refuse to issue same claiming that he had no authority to issue an emergency passport to any newspaper man.

Having this fixed, we finished lunch, and Pena, Seguin, my brother, and myself arrived at the Federal building at about 2 p. m. In the corridor of the Federal building we ran into Rob Rumsey, and I introduced Pena and Seguin to him. I then took them into the office of Mr. Miller and Mr. Lawrence, of the Department of Justice, and introduced them to these parties; and at 2.20 p. m. in front of the elevator on the third floor, I introduced them to J. E. Trout, the United States immigration inspector in charge of the Laredo district. I requested of Trout emergency passports for my brother and myself to go to Mexico City. Trout, having been previously advised, as mentioned hereinbefore, said he could not issue emergency passports to us as we were newspaper men. This was a surprise to

Pena and Seguin, both of whom urged Trout to issue passports and that if he couldn't, to then wire Washington for authority to do so. Trout said, "No need to wire Washington as to what can be done or what can not be done." Seguin said that it was too bad, for he wanted to go to Mexico with my brother and myself.

This ended the temporary passport proposition, and after Seguin, Pena, my brother, and myself left the Federal building. Seguin said that Trout was a no-good son of a ———. Pena said, "Never mind; Trout will get his some dark night, as will also that dirty bastard of a Rumsey, and you just wait and see the same happen to Fall and Hanson." Both Seguin and Pena then launched into a most complete castigation of Miller, Lawrence, Rumsey, and Trout, and said that they were a bunch of gunmen who had killed more innocent Mexicans than almost anybody else on the border, and that they had been marked to get bumped off and would in the end get theirs as well as Fall, Hanson, and others. The statement of Seguin and Pena regarding Miller, Lawrence, Rumsey, and Trout being gunmen is a lie. All of these men are of the best in the United States service and have rendered service of untold value to the United States. Seguin and Pena showed by their conversation and expressions that they were thoroughly disgusted with the failure of their efforts to get us over the river on our way to Mexico City with the papers and documents.

Due to the anxiety of De Negri and Seguin in New York, and to the actions and conversation of Pena and Seguin at Laredo, as well as by chance remarks dropped by Seguin from time to time, I had about become convinced of the fact that there had been a leak somewhere, and that these Mexicans were wise to us; and that their plans not only included getting the various Mexican papers and documents in my possession away from me if I could come into Mexico, but that likewise their plans probably included their either throwing my brother and myself into jail after we got into Mexico, or of bumping us off.

At about 3 p. m. of the same date, I left Seguin and Pena and was to see them again the next morning at 9.30 a. m., when Seguin, Pena, my brother, and myself were to proceed to Nuevo Laredo and there hold a telegraphic conference with the Mexican foreign office.

Seguin, knowing that I was always armed, at this time warned me to be sure and not carry my gun into Mexico because it might cause trouble with the officials there. This rather looked funny to me at that moment.

After leaving Seguin, I told Lawrence and Miller, of the Department of Justice, also Trout, of the Immigration Service, that I had about made up my mind that these Mexicans were getting ready to frame me, and that it might result in trouble when I went over the river. Before leaving Seguin, he had agreed to call for me at the Hotel Bender the next morning in Pena's Ford automobile; and my brother and myself were to then drive to Nuevo Laredo. Seguin at this time said, "Now, pack in a large grip the most important of the original Mexican revolutionary papers and documents, and when I call for you I will take the grip; when we reach the bridge I will tell the United States bridge guard and immigration authorities that

Mexican Government, and to
meet some of their officials.

Seguin, after spending pro-
he left that he would call at
which he did; and at this time
name of Pena who Seguin said
and Seguin then left the Hotel
hotel, where we all had lunch;
Seguin consistently knocked an
Americans.

While at lunch Seguin said the difference with the Mexican foreign minister they had told him that the republic of Nuevo Laredo, was unable to leave would be necessary for Seguin, come to Mexico City to settle the matter. "I could get my Mexican revolutionaries across the river, due to the fact that they were not under the customs and immigration authorities," he said. "Leave that to Pena and myself; I will take any trouble as we have done with the other papers and documents."

As I did not care at this time to be in those circumstances would I have taken my money and documents into Mexico. I then did not see how I could go to Mexico without having any passport. Seguin told me that I could get a temporary permit card for one day "any way." I told him that there was no way for me to come back into the United States. Seguin said that the immigration inspector would issue an emergency passport, and that I could then go to the immigration inspector and get my documents. Passports were necessary for my brother

Blocking this new plan of Segui, Segui telephoned to Mr. Lawrence of the Department, who already had known, explaining the circumstances and reporting to him, and requesting him to tell the immigration inspector, that when Pena and Segui called at his office to assure the emergency passport to refuse to issue same claiming that I had refused to issue emergency passport to any newspaper.

Having this fixed, we finished luncheon, and myself arrived at the Federal building. In the corridor of the Federal building I introduced Pena and Seguin to him, and to the office of Mr. Miller and Mr. Lawrence, and introduced them to these parties: the elevator on the third floor. I introduced United States immigration inspector Trout. I requested of Trout emergency passport for myself to go to Mexico City. Trout, having as mentioned hereinbefore, said he could not issue a passport to us as we were newspaper men.

[illegible]

o his house. At 3 p. m. I left the Hotel Bender in riven by Meyers, and on the way to the house where oing I met him on his way to the Hotel Bender in Seguin got out of his car and entered ours, and we otel Bender.

d upon us at this time the absolute fact that the regard to preventing intervention and eliminating United States rested to a very great extent on s of De Negri, himself, and myself. He then and just received confidential information from shington that they had secured certain informa- ch would utterly ruin Senator Fall, Capt. Han- understood from Seguin that this information rominent American friends and supporters of Mexican Government. He, however, said that on had been secured by their secret service urnished to them by Americans who were their of same was to be presented to the State De- Attorney General of the United States by fful Americans with tremendous political in- and that it would result in the utter disgrace Hanson, and others.

self left Laredo, Tex., Wednesday morning, ed at San Antonio, Tex., that night. While saw Mr. Sullivan and Mr. Breniman, of the ent of Justice, whom I had known for a long r frankly as I could, without divulging the ion, that I had learned that there was a plan on foot to utterly ruin Senator Fall, s, and that Capt. Hanson should be tipped resulted in Capt. Hanson coming to see me el in San Antonio, on November 12 at 9 ime Sullivan, my brother, and myself were told Capt. Hanson that I had learned of prung in Washington, which would result ruin him, also Senator Fall, and the Na- Protection of American Rights in Mexico. on account of the danger of leaks thereby osé, and of having the entire matter ex- let Capt. Hanson know of all of the in- ne to the fact that if same had been made ed, it would have utterly broken up my the end my play with the Mexican Gov- the complete information which I knew or later I felt positive I could secure.

h Capt. Hanson, he on two occasions ex- uld with him take charge of the investi- tee along the border and at other places and that the salary and expense arrange- tisfactory to me. I told Capt. Hanson to do so if it were for the fact that ime would completely interfere with my

the grip is my personal property, and as vice consul of Mexico I can cross it without having it examined." I agreed to this, knowing, however, that under no circumstances would I have a paper, letter, or document on me when I crossed the river.

At 9.05 a. m. on the morning of November 11, Seguin telephoned me that Pena was delayed, and for me to get an automobile and meet him at the end of the bridge on the American side of the river. It had been previously agreed between my brother and myself that it would be best for only one of us to cross the river, for in case of a frame-up, one would be left with the papers and documents; and if there was any plan to bump us off or throw us into jail, that it would be more desirable for them to only get hold of one. Over my brother's protests, due to the fact that he wanted to go, I left the Hotel Bender at 9.10 a. m. in a Dodge automobile owned by Meyers, and driven by driver No. 1 of the Meyers Transfer Co. I met Seguin at the American end of the bridge, and he was very much surprised to see only myself in the car, and asked where my brother was. I told him that he was over at the hotel waiting for a long-distance telephone message. He then asked for the grip full of papers, and I told him I had decided not to bring it with me.

We crossed to Nuevo Laredo, and at 9.45 a. m. Seguin and a Mexican telegraph operator opened a telegraphic conference, so he said, with the Mexican foreign office at Mexico City. This conference lasted until 11.45 a. m., during which time the driver of my automobile and his car were parked a short distance from the entrance to the telegraph office. Shortly after the telegraphic conference started Pena arrived and remained for about an hour. Seguin claimed that his conference was with the secretary of the Mexican foreign office. After the telegraphic conference was finished Seguin said that the Mexican foreign office was very enthusiastic about the entire matter, and had told him to assure us that we were just the men they were looking for, and that a most satisfactory arrangement would be made which would fully come up to or go well beyond the offer that de Negri had mentioned in New York City, as far as money was concerned. He then said that the Mexican foreign office had instructed him to make a full report of the entire matter, secure from us several letters of recommendation, etc., regarding ourselves, also copies of some of the most important papers and documents regarding the Mexican revolutionists, and to hand all of this to one of the Mexican foreign office's official messengers, who was due to arrive in Laredo, Tex., on that date, and who would leave the following day for Mexico City with the letters and Seguin's report; and that if this messenger did not arrive according to his schedule Seguin then was to immediately leave the following day, which would be November 12, for Mexico City. Seguin then said that the Mexican foreign office had instructed him to ask my brother and myself to immediately return to New York City and wait there at their expense for further instructions, which would arrive in New York at about the time we did. Seguin also said that the Mexican foreign office's instructions would consist of giving de Negri complete authority to make the necessary payments, etc.

Seguin, while in Laredo, had been stopping at some private house, and at 2.45 p. m., November 11, he telephoned me at the Bender

Hotel to come to his house. At 3 p. m. I left the Hotel Bender in an automobile driven by Meyers, and on the way to the house where Seguin was stopping I met him on his way to the Hotel Bender in an automobile. Seguin got out of his car and entered ours, and we returned to the Hotel Bender.

Seguin impressed upon us at this time the absolute fact that the fate of Mexico in regard to preventing intervention and eliminating her enemies in the United States rested to a very great extent on the future activities of De Negri, himself, and myself. He then told me that he had just received confidential information from the embassy at Washington that they had secured certain information and proofs which would utterly ruin Senator Fall, Capt. Hanson, and others. I understood from Seguin that this information would be used by prominent American friends and supporters of Bonillas and of the Mexican Government. He, however, said that all of this information had been secured by their secret service agents, and likewise furnished to them by Americans who were their friends; and that all of same was to be presented to the State Department and to the Attorney General of the United States by prominent and powerful Americans with tremendous political influence back of them; and that it would result in the utter disgrace of Senator Fall, Capt. Hanson, and others.

My brother and myself left Laredo, Tex., Wednesday morning, November 12, and arrived at San Antonio, Tex., that night. While at San Antonio, Tex., I saw Mr. Sullivan and Mr. Breniman, of the United States Department of Justice, whom I had known for a long while, and told them as frankly as I could, without divulging the source of my information, that I had learned that there was a thorough well-organized plan on foot to utterly ruin Senator Fall, Capt. Hanson, and others, and that Capt. Hanson should be tipped off to this matter. This resulted in Capt. Hanson coming to see me at the St. Anthony Hotel in San Antonio, on November 12 at 9 o'clock, p. m., at which time Sullivan, my brother, and myself were present. I, at this time, told Capt. Hanson that I had learned of plans which were to be sprung in Washington, which would result in efforts to disgrace and ruin him, also Senator Fall, and the National Association for the Protection of American Rights in Mexico. I could not at that time, on account of the danger of leaks thereby spoiling my newspaper exposé, and of having the entire matter exploded, fully and frankly let Capt. Hanson know of all of the information I had secured, due to the fact that if same had been made public or leaks had occurred, it would have utterly broken up my plans to carry through to the end my play with the Mexican Government officials to secure the complete information which I knew they had and which sooner or later I felt positive I could secure.

In this conversation with Capt. Hanson, he on two occasions expressed the wish that I would with him take charge of the investigation for the Fall committee along the border and at other places of various Mexican affairs, and that the salary and expense arrangement would be perfectly satisfactory to me. I told Capt. Hanson that I would be very glad to do so if it were not for the fact that such a connection at that time would completely interfere with my present plans.

My brother and myself left San Antonio on the night of November 13, via the M., K. & T., and arrived in Washington via Pennsylvania, Sunday, November 16 at 2 p. m. On November 17 I left Washington at 4 p. m., arriving at the Knickerbocker Hotel, New York City, 9.30 p. m. the same night. On Tuesday, at 11 a. m., November 18, I saw De Negri at the Mexican consulate. He was just getting ready to go out, and he asked us to return at 4 p. m. of the same day, which we did. We remained in conference with him until 5.20 p. m. He had received several telegrams from the Mexican foreign office that they were very enthusiastic and anxious to get their proposed agreement with us started, and that Seguin, who had left Laredo for Eagle Pass to see his father on that date, November 18, or the following day, November 19, would have another telegraphic conference with the Mexican foreign office and receive their final instructions regarding the details of the contract with us. He said that the foreign office had advised him in code telegram to this effect; also that it was not safe to send their telegrams regarding this matter even in code, due to the fact that they were afraid the United States Government had possession of their codes or could decode their telegrams.

De Negri then said that he had talked to the ambassador after we had left for Laredo, and that he and Bonillas, irrespective of cost or consequences, proposed as a patriotic duty to Mexico to ruin and disgrace the Americans—and again he named them—who were endeavoring to force intervention. De Negri at this time said that that God damn Fall was more responsible than anybody else, and that some way or the other Fall was to be ruined and disgraced, and that he and Capt. Hanson would pretty damn soon be fixed where even publicity as to their dirty activities against Mexico would not even affect them.

I, of course, fully agreed with De Negri as to his sentiments against Hanson and Fall; and he then literally in his remarks about both Hanson and Fall, castigated them. Continuing, De Negri said, "Fall and Hanson ought to be shot, and by God, they will be. Just wait and see; it will happen very soon."

I endeavored to play him along to learn the complete plans to assassinate Fall or Hanson, but he changed the conversation. He again assured us that if we played straight with his Government and carried out their instructions and made public the information he claimed to have in his possession regarding the National Association the Fall committee, Capt. Hanson, Mr. Buckley, the various members of the Oil Producers' Association, and others, that we would be millionaires.

He said, "All of this information made public by you two gentlemen, as Americans, will have a tremendous effect and will produce results far more quickly than if it was made public through the Mexican embassy or other Mexican Government officials." De Negri then again flared up and said, "I suppose you have seen what those damn dirty newspapers all over the United States have been handing me over what they claim is my connection with the I. W. W. and the reds."

De Negri at that was referring to the statement which had been given out by Senator Fall, stating that he, Fall, had possession of proof, documentary and otherwise, regarding the connection of

De Negri and Bonillas with the reds. He then said, "To hell with every newspaper in the United States and their ideas and opinions of my Government or me," and that the same also applied to the opinions or activities of the State Department or the United States Government about him or who he was connected with, etc., and that what he said or did was his own personal right which he did not propose to have interfered with. Continuing, De Negri said:

My complete sympathy is far more with the reds and others of their class, who have been and were being oppressed by the United States Government than he ever could feel toward the people of the United States.

At this moment he showed us copy of a letter he had sent to the New York Herald, which was similar to that sent, so he said, to many other newspapers in New York, asking them to publish this letter in which he stated that he had never had any connection with the I. W. W. and that his entire actions in the United States had only been to create a spirit of friendship and cooperation between Mexico and the United States. Smiling, he said:

Of course, you understand this is bunk, for my heart lies with all of the oppressed, and the reds in the United States have never done anything to justify the treatment they have received from the United States Government.

As far as De Negri's remarks about his heart lying with the oppressed, De Negri was with the original Obregonista troops, and in their campaign, in the original Carranza revolution, they probably did more damage to property and committed more crime against women and children than any other bandits ever in Mexico.

De Negri, continuing, said:

Wait and see what happens. I intend to make a fool out of every newspaper in the United States who published the articles about me having been connected with the reds, and of having participated in their propaganda. The newspapers that have printed that article can never prove that such is the case. My attorneys and myself have thoroughly discussed these matters and are now arranging to sue all of the newspapers in the United States who published these articles.

Senator BRANDEGEE. Who was his attorney in New York?

Mr. JONES. I think I can get you the same, Senator. I can if I have in my files.

Senator BRANDEGEE. Put the name in later, if you find it.

Mr. JONES. All right. I asked him how he expected to be able to learn which newspapers published the articles, and he said:

My office here are subscribers to free press clipping bureaus who each day send here every clipping regarding any news item published in every daily paper and in many other publications throughout the United States; the name of the paper and the date of same is attached to each clipping, and in this way I will very quickly know what papers published that story about me.

For the information of the committee, I might say that one day while in De Negri's office there was a large bunch of newspaper clippings received from the press clipping bureau, which I discovered, which I put in my pocket so I could have documentary evidence of the fact that these clippings had been received. It contained at the top the name and address of the clipping bureau which maintained the service. In this way I learned for the first time that the Mexican Government is receiving clippings through press clipping bureaus amounting to hundreds of clippings each day, regarding what De Negri termed "outrageous murders and other crimes on all

foreigners throughout the United States." These are indexed, classified, and are being kept by De Negri's office, and from them is to be compiled and published a booklet which will be given wide circulation throughout the United States and will be distributed to every publication, all Government, State, county, and municipal officials of any prominence, likewise to large numbers of bankers, manufacturers, importers, exporters and other business concerns. The booklet when compiled will first show, so De Negri said, a list of Americans which the Government of Mexico is willing to admit have been killed or whose property has been destroyed or robbed in Mexico since Carranza's time, all of which, so De Negri said, the booklet will show was done by bandits and robbers in Mexico. The entire list, so De Negri claimed, of Americans murdered in Mexico will amount to only 150 to 200.

For the information of the committee, when De Negri made that statement he knew he was lying, because at that time in excess of 600 Americans had been murdered in Mexico, and according to the statement made to me in New York City by Gen. Salvador Alvarado, governor of Yucatan, and now prominently connected with the Obregonistas in their present revolutionary movement in Mexico. Alvarado said in the presence of two reliable witnesses whose names have already been furnished to the committee that fully 85 per cent of all murders and other outrages perpetrated against foreigners and their property in Mexico were brought about by the troops of Carranza.

Continuing, De Negri said, that, on the other hand, during the same time, the booklet will show for instance that in the United States four or five thousand foreigners, as he estimated, of all nationalities have been murdered, robbed, or other outrages perpetrated on them. This booklet will also show during the same time, giving the name, address, etc., of negroes that have been killed, shot, or lynched throughout the United States in riots, lynching parties, etc. The booklet will then show the crimes committed in 50 cities of the United States during the last 24 months. These crimes will be fully classified as murders, robberies, burglaries, arson, outrages on women, and all other criminal activities. The purpose of this booklet, according to De Negri, and the effect it will have on the press of the United States and upon others who receive same, will be tremendous. For, De Negri continuing said, it will show that in the United States thousands of murders and crimes and other outrages have been committed in a country that holds itself up as a Nation of peace, prosperity, and safety. For every one crime or murder in Mexico that has occurred since Carranza's time, it would show that in the United States one hundred similar crimes have likewise been committed.

"The booklet," he said, "will also show that for every American since Carranza's time who has lost his life or property in Mexico, that throughout the United States there have been 25 Mexicans who have either been persecuted, beaten, and thrown into jail or killed, or their property stolen, or other outrages perpetrated against them."

De Negri, continuing with his vindictive smile, said, "Wait until our plans are fully executed; and when they are the people of the United States will know that Mexico and the Mexicans are not fools."

for we play at their own game, and will show them that conditions in their own country are a hundred times more worse than they are in Mexico; and that when we are through with the information we have already in our possession and which we are now rapidly securing, and which you gentlemen can secure, we will ruin all of these damned Americans who are creating sentiment in the United States against Mexicans and Mexico."

De Negri then said that Seguin would start back to New York on November 19 or 20, and that if he got tied up at Eagle Pass and could not come, in that event he would start a confidential messenger immediately from New York, who would bring to him the complete instructions as to the agreement to be entered into between the Government of Mexico and ourselves.

Continuing, he said that Seguin, from Piedras Negras, was in constant telegraphic communication with the Mexican foreign office. He then said that Seguin undoubtedly would be back in New York City by November 22 or 23. I told de Negri that we were probably going to run down to Atlantic City and would see him on Monday. He said, however, to be sure and get in touch with him on Saturday, November 22, "for we must get busy at once."

Having other matters to attend to on Saturday the 22d, I therefore telephoned the Mexican consulate and Seguin was put on the wire. He told me that he had just gotten back to New York, and asked me to be sure and call on Monday morning, November 24, at 11 o'clock. On that date and at the hour mentioned my brother and myself saw Seguin at the Mexican consulate in New York. He said that he knew our expenses had amounted to more than the original figure, due to the fact that the trip took longer; and we figured out the additional expense, which amounted to \$138.40, which he gave to us in cash and for which we gave him a receipt signed in triplicate, which was similar to the receipts in triplicate signed by me for the previous expense money paid by him at New York and at Laredo.

At this time I endeavored to secure from him duplicate of the receipts which I had signed, and he smiled and said, "Nothing doing: for it is too dangerous to have any writing out regarding the money which has been paid to you for expenses and which will be paid to you for the work you are to do. All money will be paid in cash, and there will be no record of same except receipts from you to us, which have to go to Mexico City." Seguin then said that the Mexican foreign office, as per his last telegraphic conference with them from Piedras Negras, had instructed him to immediately return to New York City and to tell us that an official messenger of the Mexican foreign office was at that time leaving Mexico City direct for New York with sealed letter of instructions regarding the entire matter for de Negri, and that this messenger would arrive in New York within the next four or five days.

He seemed to be very anxious to impress upon us to be patient, and that he had positively received definite assurances in his several telegraphic conferences, from Piedras Negras, from the Mexican foreign office that they were most anxious to have de Negri, Bonillas, himself, my brother, and myself start on this work at the earliest possible moment. From Seguin I also learned that they had secured a great deal of additional information which he claimed would be sufficient

to ruin all of their enemies in the United States. On November 24 and up to December 4, I saw Seguin personally each day or I was in touch with him and de Negri by telephone, they stating that the messenger was expected momentarily, and that it was absolutely of vital importance for us to remain in New York and not even to leave to go to Atlantic City, due to the fact that the messenger when he arrived would have the instructions, and that they wanted us to immediately start on their plans. On November 22, at Seguin's office, he was extremely bitter in his remarks about the National Association and the Fall Committee and said, "Fall and Hanson are going to get theirs very soon." I fully agreed with him that they ought to "get theirs," and that such men as Fall and Hanson, working as they were against Mexico, were the worst enemies Mexico ever had. Seguin said, "That's all right; you will not hear much more of Fall and Hanson pretty soon for we have a man who has plenty of guts and who at the proper time will put Hanson and Fall out of the way."

After this positive threat on the part of Seguin, which had been stated on a previous day by de Negri as mentioned hereinbefore to cause the assassination of Senator Fall and Capt. Hanson, I waited for several days thereafter endeavoring to secure additional information regarding this plot, but was unable to do so. I therefore, on November 28, 1919, telegraphed Mr. A. C. Sullivan, of the Department of Justice in San Antonio, and who I knew to be on very friendly terms with Capt. Hanson, that plans were on foot to bump Fall and Hanson off and to at once warn them of this matter.

In turn, my friend Sullivan immediately notified Capt. Hanson, and he, on December 1, 1919, in turn notified Senator Fall by telegraph, and that resulted in a copy of the telegram to Senator Fall being received by Maj. Pullman, superintendent of police in Washington, who, without letting Senator Fall know anything about it, put one of his city detectives following the Senator around. I also understand that the superintendent of the Capitol police was notified regarding this proposed plan to assassinate Senator Fall. I have also understood that at the Senator's hotel two young Mexicans were seen shortly after that time endeavoring to enter Senator Fall's room, and at a later date several other Mexicans were seen around his apartment.

Senator BRANDEGEE. Where did you get that information?

Mr. JONES. I got it from Capt. Hanson.

I likewise wrote Sullivan on November 29 or 30, 1919, explaining to him the fact that from Mexican Government officials I was securing information that they had marked Senator Fall and Capt. Hanson for assassination and to pass this on to Capt. Hanson. During the early part of December I also wrote Sullivan regarding the fact that I was securing full information as to the various plans of Mexican Government officials and to so advise Hanson. On December 1, 1919, I telegraphed in part to Capt. Hanson via Western Union night lettergram, filed at the Western Union telegraph office at 1450 Broadway, as follows:

Gradually securing additional information regarding plans of parties to discredit, as per my San Antonio conversation. Other information furnished through Sullivan last week now practically complete. Important entire matters kept confidential from every one except the Senator, yourself, Sullivan, and Braninman until authorized to make same public.

CRESSE.

I signed that telegram "Cresse," which was my old Department of Justice name, due to the fact that I did not want to take any chance about leaks, and Sullivan was thoroughly familiar with that name.

Capt. Hanson, answering the telegram mentioned, wired me on November 30, 1919, as follows:

SAN ANTONIO, TEX.

C. E. JONES,

Room 137, Hotel Knickerbocker, New York, N. Y.

Message received Sullivan. Please favor me information fully. Address me letter Hamilton Hotel, Laredo, Tex. I will be there all week. See Senator in Washington if convenient. I certainly appreciate your assistance.

W. M. HANSON.

On December 4, left my hotel in New York early in the morning and did not return until around 5 p. m. I, however, telephoned to the hotel to learn if there were any telegrams or telephone messages in my box; and the operator told me that three telephone calls were there waiting for me from Beekman 5565.

I knew that this was the Mexican consulate's number, so I went by there about 4 p. m. accompanied by my brother; and Seguin said that he had been trying to get us nearly all day by telephone. He then said: "I am certainly glad you came as promptly as you did, for I have to-day received two important telephone calls from Mr. Bonillas at the embassy in Washington to immediately have you come over there, for he (Bonillas) has received instructions through the messenger, who, as I told you, was on his way from Mexico City, to immediately have you go to work for us (the Mexican Government)." Seguin, continuing, said, "You must leave at once, for the ambassador wants to see you without delay."

I told him that this was impossible, but would probably be able to leave New York for Washington the following day. Seguin said, "That won't do, for the ambassador wants to have a very important conference with you to-morrow morning not later than 10 o'clock."

Thinking that we would be able to secure a great deal of information from Bonillas, therefore, told Seguin that we would go over to Washington that night, December 4. He said, "What will your expenses be," and I told him I did not know. He then said, "\$75 or \$100 should cover it," and handed me \$75 in cash, for which I gave him a receipt in triplicate. Seguin then said, "I will immediately telephone the ambassador that you will be at the embassy to-morrow morning (December 5) at 10 o'clock." I told him all right, and that I would be there at that time.

Seguin was very happy at this moment and said, "The ambassador has a great plan which he has figured out with De Negri and which will mean a big victory for Mexico, provided you gentlemen will be on the level with us and carry out the ambassador's instructions."

My brother and myself left New York on December 4 at midnight, and arrived in Washington on the morning of December 5. I had been requested by Seguin to take up with me to the embassy the more important papers regarding the activities of their Mexican revolutionary enemies. My brother and myself, with a small hand-trunk, in which the Mexican revolutionary papers were packed, left the Hotel Washington in taxicab No. 225, driven by Chauffeur

Ramond F. Milkeman, who said he resided at 1909 New Hampshire Avenue NW., and that his chauffeur's license number was No. 1415.

We arrived at the Mexican Embassy, No. 1413 I Street NW., at 10.05 a. m., December 5. Was admitted to the embassy by a negro butler to whom I gave my name, and he was evidently expecting me for he said, "Yes, Mr. Jones, you are expected, and the ambassador will be with you in a few moments."

At about 10.10 a. m., the ambassador entered the red parlor on the right-hand side of the entrance door, and seemed to be very glad to see me. I had known Bonillas for the last two years and formerly, while connected with the Mexican Government as confidential agent of the Mexican foreign office, had had quite a number of interviews with him. He immediately got down to business and said that relations between the United States and Mexico were most grave, and added that he was afraid that the United States would sever relations with President Carranza's government, which would result in him being handed his passports very shortly by the United States Government; that the present situation had been caused by the agitation of the Fall committee, the propaganda spread by the National Association for the Protection of American Rights in Mexico, and that all this had been brought to a head by the Jenkins case and other complicated matters.

He then said that De Negri and he (Bonillas) after many conferences had decided that the time had come to put up an active fight against the Fall committee, the National Association for the Protection of American Rights in Mexico, the State Department, and all other enemies of Mexico, or against everyone who favored intervention or withdrawal of recognition to Carranza, Bonillas qualifying this statement by remarking, "if recognition is withdrawn from Carranza it will mean intervention, for it would be impossible for President Carranza to retain his power if recognition by the United States is taken away from him."

As stated, I have known Bonillas for several years, and in all of my confidential conversations with him prior to this one he has been always a typical, cool, calm, shrewd, calculating diplomat, never permitting his features to betray his anxiety regarding international or any other matters.

However, at this time he was completely changed. He trembled as though he had palsy. His customary poker face was lined deeply, and his mouth twitched.

Continuing, he said, "the situation is horrible and is the most serious and dangerous that Carranza has faced since he was recognized; and we all have to get together and do something to counteract the damnable attempts that are now being made to force intervention." Bonillas then said that he had had quite a number of conversations with De Negri regarding the contract which he, De Negri, and the Mexican foreign office wanted us to accept, and that he felt absolutely sure of the fact that we could in every way secure the results they desired, adding that the financial remuneration at all times and in every way would be fully up to our expectations and thoroughly satisfactory to us.

By brother and myself, of course, fully agreed with every suggestion or theory made by Bonillas, and likewise told him that it

was a damnable shame and outrage that such dirty work was being perpetrated on his Government by the people whom he said were the instigators of such activities.

Bonillas said that the subcommittee of the United States Senate, the Fall committee, through Senator Fall, had introduced a resolution in Congress demanding the withdrawal of recognition by the United States from Carranza, and that this resolution had been referred to the Senate Foreign Relations Committee, who at that time had the Fall resolution before them for consideration; and that he and their friends of Mexico in Washington and throughout the United States were very much afraid that the Senate Foreign Relations Committee, due to the influence of Senator Fall and others, would be able to have this resolution adopted, which would recommend to President Wilson that recognition be withdrawn from Carranza.

Bonillas then said that it was most important that something be done to discredit the members of the Fall committee and others who were in sympathy with the favorable adoption of the Fall resolution and that this likewise applied to all others who apparently were against President Carranza and his policy and who were instrumental in spreading propaganda throughout the United States against them.

Bonillas continued with the statement that friends of his in Washington had seen and talked to various members of the Foreign Relations Committee for the purpose of trying to block the proposed resolution; the ambassador, pale, and almost in a whisper, went on—"if additional influence can only be brought to bear on those close to the President of the United States and on other high Government officials, including Senators who are members of the Foreign Relations Committee, it may be possible to have the Fall resolution defeated or reported unfavorably by the Senate Foreign Relations Committee, and we are counting on you two gentlemen to handle a great part of this work." He then declared, "It is most fortunate for Mexico that a new clique is very close to President Wilson." I asked him who this clique was, and he replied Bernard B. Baruch and Attorney General Mitchell Palmer; and that these two gentlemen were very close to Joseph Tumulty, the President's secretary. Continuing, the ambassador said that Col. House and Secretary of State Lansing had lost their influence with President Wilson, which was a most fortunate thing as far as Mexican affairs were concerned.

The ambassador then wanted to know if it would be possible of me, through prominent politicians and others whom I had given him to understand I had some influence with, and which as a matter of fact I did not have, to bring influence to bear on Government officials, Congressmen, and Senators, and also state to them that it was an outrage on the part of members of the Fall committee and other Americans opposed to Carranza and his policies, to withdraw recognition from Carranza or urge intervention. Likewise, he said for us to utilize the information which the Mexican Government had in their possession and which was secured by them through their secret service agents and from their American friends and which he said, "You gentlemen can also secure; and to take all of this information and utilize it against our enemies."

I readily agreed with all of his suggestions in order to glean all information possible. At 10.30 a. m. Mr. Charles Douglas arrived and was brought into the parlor where we were talking to the ambassador. I had known Mr. Douglas about two and a half years, having met him through an intimate friend of many years' standing, Adam Leckie. When on my way to Laredo, Tex., as mentioned here-inbefore, stopped off in Washington, and at that time called at Judge Douglas's office and told him that I would probably go to Mexico City.

Judge Douglas told me he would be glad to give me a letter to Pablo Gonzales, and then gave me a strong letter of introduction to Pablo Gonzales, which I will file with the committee at a later date. After Judge Douglas entered the parlor at the embassy he shook hands with everybody present and told me that he had recently talked with De Negri and Bonillas as to the advisability of using us in connection with the work of the Mexican Government, and then said that he wanted to prove it possible, through us, the activities of the Fall Committee, the National Association for the Protection of American Rights in Mexico, and others who were endeavoring to discredit Carranza or to force intervention, were simply for their own benefit or the benefit of those affiliated with them.

Judge Douglas, continuing, said that Bonillas and De Negri had only recently told him about us, and that we had in our possession a large quantity of papers and documents regarding the activities of their Mexican revolutionary enemies. Judge Douglas then said, "I told Bonillas that it was very important to immediately have you come to Washington so that we could all thoroughly discuss these matters."

Douglas, Bonillas, my brother, and myself then fully discussed as to the chances of the Fall resolution being favorably reported by the Senate Foreign Relations Committee, and Douglas and Bonillas were positive in their opinion that the resolution would be favorably reported.

At about 11.15 to 11.20 a. m. the butler of the Mexican Embassy called Mr. Bonillas out in the hall, and the ambassador then went away with the butler and returned in about five minutes to the parlor where Judge Douglas, my brother, and myself were sitting: and as he came in through the parlor door he had his arm around the shoulder of another gentlemen who, he said, as he introduced him to us, was Mr. Lincoln Colcord, "one of our greatest and best friends in Washington, and a man who has been of a great deal of value and assistance to me."

Evidently this was the first time that Douglas had met Colcord. Bonillas then said that Colcord on December 3 and 4, had seen several United States Senators, among whom were Senators Borah, Johnson, Knox, all of whom talked to him very friendly, and that Senator Borah had told him that his mind was open so far as any drastic legislation regarding Mexico was concerned. Colcord then said that he had told Senator Borah that he believed that if such men as Senator Borah talked to those who could tell him the truth about Mexico, that the Senator and others in the Senate would never favorably report the Fall resolution. He then said that Senator Borah had told him that he would be very glad to have the

opportunity to talk to those who were disinterested regarding Mexican matters and who had no private axes to grind so far as Mexico was concerned.

Colcord continuing said, "I told him that I would have several parties come to Washington to present to him the truth about Mexico." Colcord then said, "It is necessary to have de Becker, McDonald, and other of our friends immediately come over to Washington and privately talk to Senator Borah and other Senators." Other plans were discussed at this time to bring influence to bear on various members of the Senate and House through Colcord, Douglas, and myself. I told Colcord that such men as de Becker and McDonald had been discredited already as propagandists for Mexico before the Fall committee, and that such men could hardly carry any weight with anybody due to the fact, if I understood the matter correctly, that they were known to be very close friends of Bonillas and others connected with the Mexican Government. I hoped in that way to be able to hear Bonillas, Colcord, and Douglas discuss names of other Americans who as yet had not been mentioned.

Bonillas then said that through certain other powerful friends of his he could, through these parties who had great influence, likewise have many other Senators and Congressmen seen who in turn would show the members of the Senate and House that adverse legislation should not be adopted against Carranza or Mexico.

Douglas then said to Colcord, "Do you know Robert Murray of the New York World?" Colcord told him that he did not. Douglas said, "Well, I have to go now. You come along with me and I will see that you meet Murray; and with you and Murray actively at work great results can be produced."

Before leaving, Colcord said to Bonillas, "It is most important to telephone our good friend Weller to immediately come to Washington, for he has the friendship and confidence of many Senators and can probably do more right at the present moment for us in preventing the Fall resolution from being adopted." He then emphatically said, "Telephone him immediately for you know what to say to him." Bonillas then said that he would immediately telephone to John S. Weller, at 915 Park Building, Pittsburgh, Pa.

Bonillas, later that afternoon, told us that Weller was general counsel for the Penn-Mex Oil or Fuel Co. with offices at Pittsburgh. Bonillas also at this time said that Weller was on very close and friendly terms with several powerful Senators who were members of the Foreign Relations Committee, and that his talking to these Senators might show them that it was not advisable to report favorably the Fall resolution. Bonillas at this time also said that it was most important to secure the ear of Senators, Congressmen, and others who had the confidence and friendship of Attorney General Palmer, Mr. Tumulty, and others who were very close to President Wilson.

The ambassador left the parlor and was gone about five minutes and upon his return said that the call had been put in for Mr. Weller, and that he expected to talk to him within a very short time. And then said, "I will tell Weller to leave on the first train for Washington for it is most important that he be in Washington to-morrow morning," which would be Saturday, December 6.

I then asked the ambassador as to who Colcord was, and he answered, "Mr. Colcord has been one of our best and most valuable friends, and has produced most excellent results for us." I understood from the ambassador at this time that Colcord was one of his confidential publicity representatives in Washington.

Regarding Colcord, I also understood he formerly was connected with the Philadelphia Public Ledger. That is what he told me when I asked him what newspaper experience he had. It is also said that Colcord was discharged by the Philadelphia Ledger for being a radical with extreme ideas. Whether or not he was employed by the Ledger I, personally, don't know.

Senator BRANDEGEE. When you say you understood from the ambassador that Mr. Colcord had been one of his best friends, just what do you mean by that?

Mr. JONES. When I used the words "I understood," that is just a phraseology of mine. The ambassador made the positive statement.

Senator BRANDEGEE. That is what I wanted to know.

Mr. JONES. Colcord will probably be best remembered in Washington as the party at whose home or apartment Martens, the radical so-called red ambassador, was found, after having been searched for in Washington for five or six days by agents of the Department of Justice and the Washington police. It has been claimed that all during this time this red was hid out in Colcord's apartment.

Senator BRANDEGEE. Do you mean Colcord's apartment in Washington?

Mr. JONES. Yes, sir. This so-called red ambassador came over here to appear, I think, before a Senate investigating committee, and I notice according to the newspapers the authorities were after him and he disappeared entirely for about six days and nobody could find him. Finally, when the subpoena was served on him by the sergeant at arms, it was served in Colcord's apartment. I remember in the newspaper story published in Washington papers at the time, he admitted that for the time he had disappeared he had been hid in Colcord's room.

The CHAIRMAN. We will take a recess until half-past 2.

(Whereupon, at 1 o'clock p. m., the committee took a recess until 2.30 p. m.)

AFTER RECESS.

(At the expiration of the recess, the committee reconvened, Senator Fall presiding.)

The CHAIRMAN. You may proceed, Mr. Jones.

STATEMENT OF MR. CHARLES E. JONES—Resumed.

Mr. JONES. After Colcord and Judge Douglas left, the ambassador, my brother and myself discussed with him the advisability of having various parties, whom he said were friendly to the Mexican Government, appear before the Senate Foreign Relations Committee on Saturday, December 6, and on the following Monday, December 8, Bonillas said that it was vital to endeavor to have this done, which he felt sure he could do, and through these friends impress on the committee that all agitation in regard to the Jenkins case

and allied matters was simply shrewd propaganda on the part of the enemies of Mexico to force the withdrawal of recognition from Carranza or to cause intervention. The ambassador said, "In addition to this plan I have another one which will be of greater value than all others, and that will be to have you gentlemen appear before the Foreign Relations Committee and endeavor to prove to their entire satisfaction that Senator Fall and other members of the committee, his investigators, including Capt. Hanson, the National Association for the Protection of American Rights in Mexico, and its principal backer, Mr. E. Doheny, and other enemies of Mexico, are behind the Fall resolution simply for personal reasons.

For the information of the committee, and due to the fact that it should be part of the permanent record of the committee, I closely questioned Bonillas as to the documentary proof he claimed to have in his possession, which he wanted me to spring before the Foreign Relations Committee, and which he positively and repeatedly had claimed to be able to turn over to me, in my effort to secure the same so that I could make photostatic copies of it for my own files, and later for a newspaper story. Bonillas, however, was never at any time able to produce any of the various papers, letters, documents, etc., that he claimed were in the possession of the Mexican Government. Furthermore, after many days of effort on the part of my brother and myself to secure from him and his associates some definite proof, in the end they were never able to produce anything, which conclusively proves that they had nothing, for if they had had even the slightest evidence which would have been detrimental to the committee and others mentioned hereinbefore, they certainly would have produced the same.

The butler at this moment came into the parlor and handed the ambassador a card; and he then said, "You will have to pardon me, a party that I have an engagement with is now here to see me." Bonillas then asked us to return to the embassy at 2.15 o'clock that afternoon.

I then asked the ambassador if he would have his butler telephone for a taxicab. He replied, "My automobile is at your disposal." My brother and myself left the embassy at 12.45 p. m. in the ambassador's car, and on the way to the hotel the chauffeur told me that the automobile, which was a Hudson, was owned by the ambassador and that he was chauffeur for the embassy.

I will file with the committee a statement regarding the loyalty of Judge Douglas, similar to my testimony concerning Mr. Leckie.

The CHAIRMAN. It may be printed in the appendix to your testimony.

Accompanied by my brother, I arrived at the stated time and was admitted by the ambassador's butler, who said the former was in a conference and would be with us in a few minutes. He entered the parlor at 2.35 p. m. and we renewed our discussion as to the plans and ways to "ruin" the parties he desired to discredit and to bring influence to bear to defeat the Fall resolution.

Bonillas seemed even more nervous and frightened than he had been that morning, due to the fact that he had learned that the Foreign Relations Committee, so he claimed, would "undoubtedly act on the Fall resolution on Monday, December 8." He added:

Whatever is to be done has to be done, necessarily, right now.

Bonillas reiterated that if it could be shown before the Senate Foreign Relations Committee that Senator Fall and other members of the Fall committee, and Capt. Hanson and those interested in supporting the Fall resolution for the benefit of the United States, were "all archenemies of Carranza and Mexico," the Fall instrument would be defeated.

Declaring he had "proofs" in his possession, gathered from Mexican secret-service operatives, Bonillas expressed this desire:

I want you to gather additional proofs, correct or incorrect, to aid in the overthrow of the Fall committee's plans.

Saying he could "demonstrate" that he had such "proofs," he showed me a photographic copy of a letter purported to have been written by a Texas newspaper to Gen. Luis Terrazas, demanding "more money for revolutionary propaganda." He added that "other letters" and important proof were forthcoming from Mexico and from "good friends of ours in the United States" that would show a propaganda conspiracy against the Carranza régime. He went on:

With this information and with inside knowledge that you have, and if you can be persuaded to appear before the committee and attack Senator Fall, Capt. Hanson, and others, and try to discredit them, it will result in attention being withdrawn from the original inquiry.

He paused and added meaningly:

And for this you will be paid liberally.

He declared:

The attack on Fall and the others will so distract attention that the defeat of the resolution is almost certain.

I then asked him:

What will it be worth to you to have this work done?

He replied that he preferred to have me "put the price for this job." I told him it would cause a sensation, and therefore was "worth a great deal of money." He agreed:

Yes; it would be worth a great deal.

Thereupon, I informed him I thought \$100,000 "only a fair price to take on a task of this magnitude." He thought a moment and said:

I will pay you \$75,000, payable \$50,000 in cash before you appear before the Foreign Relations Committee, and \$25,000 after you have done the work to my satisfaction.

He elaborated, saying the work would entail:

The complete discrediting of the Fall committee's purposes and the check-mating of its plans and policies.

The Ambassador went on:

The best way to handle the matter will be to have some United States Senator, a member of the committee, either invite you or demand that you appear before the committee to tell them the real facts.

He explained that the facts must be those which coincided with his viewpoint, regardless of what the truth was, in regard to Mexican matters. He said if this was done and it appeared that I was before the committee by request that it would strengthen greatly "our pro-

posed attack" on what he termed "the enemies of Carranza." He resumed:

You can arrange to have some member of the Foreign Relations Committee get you before the body, can't you?

I told him:

Surely, I can have this done easily.

He advised me:

If you are not able to arrange it, I can arrange to have you invited through a prominent and influential friend of mine here in Washington.

The ambassador at this time expressed deep hatred for the National Association for Protection of American Rights in Mexico, all of its officers and members, and declared:

Just wait! In one way or another, Mexico will make life unbearable for all these parties and we will get even with every one of them.

Press dispatches of March 16, 1920, confirm Bonillas's above statement. The Excelsior, a Mexico City newspaper, saying that orders had been issued and sent to Mexican consuls in the United States "to refuse to visé passports of all Americans belonging to the Association for the Protection of American Rights in Mexico" and all those who appeared before the Fall committee as witnesses. The association members, according to the Mexican paper, are all "listed" by the Mexican Government.

When I agreed to accept the "job" and in accordance to my preconceived plan, I endeavored to have Bonillas enter into a written contract covering the matter in detail. But the cagey diplomat said:

I prefer to have a gentleman's agreement between us. You will be perfectly safe in so far as the money is concerned, due to the fact that you will receive the \$50,000 before you begin your assault on the Fall committee and on others that I am interested in thwarting.

I emphasized again the fact that this work on my part undoubtedly would prevent intervention or withdrawal of recognition of the Carranza rule. Bonillas then painted a vivid financial picture of the great commercial opportunities that would be opened to me in Mexico by the Carranza administration, if, as he put it:

If you are able to carry through these ideas and plans that I have outlined.

He promised that I would be employed immediately as chief of the Mexican secret service in the United States at a salary of \$5,000 a month, out of which I was to pay necessary expenses incurred in handling the "work" and in special assignments to be given me by the ambassador in person.

Of course, I placed no confidence in these promises. I might explain that in my several thousands of reports to the Bureau of Investigation in the last several years, that in the interest of securing facts regarding several revolutions, I have been assured repeatedly by the various leaders of the movements and by Mexican officials as well, that when they "won out" they would make me a "banana king," "railroad king," a "power in the oil world," and various other types of monarch. All these "offers" were invariably contained in my reports to the Department of Justice and all I ever got

out of the offers was information and a sound laugh, together with the satisfaction of blocking and interfering with their plots. All the real money paid me by Mexican sources was either borrowed back by the Mexicans and Central Americans or expended on them in entertainment.

When the ambassador became convinced that he had a ripe opportunity through me to "do the dirty work" that he longed for, he brightened perceptibly and I was enabled to open up several other lines of inquiry. Among the most important of these matters was my desire to learn of his plan to become president of Mexico and as to what I could pump out of him regarding the next Mexican presidential elections.

There had been frequent publicity given in the United States regarding Bonillas' candidacy for the presidency of Mexico. I asked him if it were a fact whether he was or would be a candidate. His explanation of this matter and of the Mexican election in general was as follows:

There is a most extreme and bitter personal, military, and political feeling between Gen. Pablo Gonzales and Gen. A. Obregon. Unless one or both these parties can be persuaded to withdraw as a presidential candidate, then, if they both go to the election, it will undoubtedly result in Pablo Gonzales being elected. If that comes, then I am very much afraid that Gen. Obregon with his friends and supporters throughout Mexico will immediately start civil warfare in Mexico.

If this happens, and I feel positive it will if Obregon is defeated, armed intervention by the United States will follow.

The ambassador qualified this statement in answering my question:

Why intervention, even if civil war does break out?

The United States never will stand for another such revolutionary movement as that which put Carranza in power. Nor will the European powers stand for it. All countries of the world will be in hearty accord with intervention, due to the fact that if civil war comes to pass in Mexico, following the election results, it will demonstrate to the world that Mexico can not control its own affairs, that Mexico can not govern itself successfully.

I am explaining this to you on account of the fact that I feel sure that neither Pablo Gonzales nor Obregon will withdraw as presidential candidates, unless a third candidate will enter the field; a candidate friendly both to Gonzales and Obregon.

I am an intimate friend of both these parties and enjoy their complete confidence. If I can show them that if they go to the elections there will result bloody civil war and later the armed intervention of the United States, I may convince them of a plan. This would include my convincing them that it is their duty as patriots to prevent this threatening warfare by both agreeing on a third candidate. This third candidate should be a civilian. Under such circumstances, I am willing to become a candidate for the presidency.

I expect during February or March to go to Mexico and explain fully these matters to Gens. Obregon and Gonzales, with an idea of persuading them to withdraw as candidates.

Our conversation branched off to a discussion of the Mexican policy of the United States Department of State. Bonillas said that in some of his interviews with Secretary of State Lansing he had been "severely talked to and grossly insulted" by the Secretary. He added:

It will be a godsend and a blessing to Mexico when Lansing turns back his portfolio and leaves the Wilson Cabinet.

I asked the ambassador:

Why, is Lansing going to get out?

He answered :

I have received reliable information from influential American friends of mine in Washington that the President did not approve of Lansing's Mexican policy and of many of his other activities. I hope and feel that Lansing will leave the Cabinet soon.

Apparently, from Bonillas's statement, he had advance information that Lansing was to go out of the Cabinet: likewise, that the President did not approve of the policies of Secretary of State Lansing.

Bonillas's remarks almost tempted me to say, and I was restrained from so doing by a desire to complete my "play," that the freedom and courtesies which Bonillas and all of Mexico's representatives in the United States always have had were sadly different from the restrictions and ill-treatment and discourtesies accorded the United States ambassador and our consular representatives in Mexico. I particularly remembered at the time that when President Carranza was inaugurated, and as Ambassador Fletcher passed in his motor car through the streets of Mexico City on the way to the ceremony, the hisses of the Mexican populace were continuous. Hisses and hoots also greeted the American minister as he entered the Chamber of Deputies. A few moments later the German ambassador, von Eckhardt, arrived at the chamber and the deputies arose en masse and applauded and cheered Carranza's close friend and adviser, the German ambassador.

I arrived at the Mexican Embassy again on Saturday afternoon, December 6, on request of Bonillas. The ambassador immediately resumed discussion of various matters touched on in our former meetings of that week. He informed me that he had gone over thoroughly with members of his diplomatic staff and other confidential friends in Washington his proposed plan to ruin members of the Fall committee and discredit others opposed to President Carranza's and the latter's policies. He added that some of these advisers had warned him to be "careful about this matter and consider seriously every phase of it before proceeding." He continued:

This is due to the fact that instead of helping the situation, a hasty move may prove reactionary. If it ever becomes known—this plan of mine—it will ruin me absolutely, and will ruin every other Mexican participating in these plans.

He also declared that he had learned it was exceedingly doubtful as to the Senate Foreign Relations Committee reporting favorable the Fall resolution. His information to this effect, he said, had come from confidential sources in Washington, which sources had learned to turn the state of affairs from various Members of the House and the Senate. He explained:

These advisers and myself feel that the immediate danger is past. Even if the committee does report favorably on the Fall resolution, I learn from excellent sources that the administration will pay no attention to it.

He likewise stated that he had decided the most feasible and successful plan would be to have his friends and advisers work along the lines of least resistance. This he explained as follows:

These friends will have talk after talk with various Senators and Congressmen and prominent officials in other branches of the Government. In these talks they will point out that it would be a most serious mistake to withdraw recognition from Carranza or to intervene in Mexico.

That was Saturday afternoon, and he at that time asked me to call at the embassy on the following day, Sunday, at 2.30 p. m. We arrived there about 2.30 p. m. Sunday, and Bonillas then led up to a new proposition, which he said would be as profitable to me and produce as satisfactory results to him as his previous scheme would have been. He told me the new plan would stamp out the activities of enemies of Mexico and eliminate them forever. When I asked what the plan was he said, "It will not be reactionary. With the information in possession of the Mexican Government and the information which you claim you have been able to secure, we can, through friends of ours here in Washington, present the entire matter to the Attorney General of the United States. He will endeavor to prove to his entire satisfaction that there has been and is a conspiracy to cause the downfall of President Carranza and to force intervention.

If this can be done and can be worked out successfully, and I feel sure it can be, it will enable us to force the United States to act. And when this is done, it will ruin and discredit and also interfere with the purposes and plans of the Fall committee. It will ruin every other individual who dares to be opposed to President Carranza and his policies and foreigners who have investments in Mexico, for President Carranza is the best judge of what is good for Mexico.

The ambassador went on:

If this work can be done and you are willing to enter into such an arrangement, your remuneration will be as satisfactory as was my former proposition.

This work, I was told by the ambassador, in connection with information he said he had in his possession, and which he declared he could secure through his own spies and their secret service operatives in the United States and from influential American friends in Washington, New York, and elsewhere, would result in proving "to the satisfaction of everyone that a conspiracy against Mexico was in existence." He also told me:

This will end in the impeachment of several Senators and the arrest for conspiracy of many of those involved in propaganda against Mexico, likewise the arrest and imprisonment or deportation of Mexico's principal revolutionary enemies in America.

In discussing the proposed "scheme," a price was agreed on—\$25,000 payable on the signing of the contract and a like amount after his "work" had been completed by me. In addition to this I was to receive a salary of \$5,000 per month, which included expenses, for a period of not less than four months, at which time, if mutually satisfactory, the agreement was to be renewed.

As part consideration of this payment by the Mexican Government, I was to surrender to them all papers and documents in my possession pertaining to the activities of Mexican revolutionists in the United States and in Mexico and Central America. Likewise, I was to secure and hand over to Ambassador Bonillas information touching on the Fall committee, the National Association for the Protection of American Rights in Mexico and concerning many other individuals who, Bonillas said, he "proposed to ruin absolutely."

At this time the Mexican ambassador said that the Mexican Government had completed arrangements in Mexico for an extensive propaganda and publicity campaign throughout the United States. Bonillas confided in me:

President Carranza has determined to spend a large amount of money to create sentiment in the United States favorable to Mexico and to the Carranza administration.

This propaganda, if we are able to cause the disgrace or impeachment of several Senators and Congressmen, will be aided immensely. The Democratic administration will take hold of it eagerly, and will dwell on the fact that the majority of the committee concerned in urging withdrawal of support from Carranza is formed of Republicans.

At a later date, through reliable sources, I learned that during January of this year Gonzales Roa, a member of the law firm of Gonzales Roa & Carbaljal, with offices at Gante No. 1, Mexico City, gave a luncheon, at which a widely known newspaperman of the United States was present.

At that time Gonzales Roa made the statement that he had completed arrangements whereby Carranza had appropriated \$100,000 in gold as a preliminary fund for publicity and propaganda in the United States.

Gonzales Roa and his partner are the legal advisers for many of Carranza's governmental enterprises. Roa, it is said, is personal legal counsellor of Carranza.

At the luncheon, Roa said:

One of the reasons why President Carranza is more anxious at this time than ever to create sentiment in his favor in the United States is that Carranza and his close advisers have become worried in regard to intervention by the United States.

The position of publicity director was offered the newspaperman, who stated that he had refused the same. He told Roa that to conduct such a campaign in the United States and which would produce results would cost at least a quarter of a million dollars gold for one year's efforts. Gonzales Roa then remarked that President Carranza was willing to appropriate as much money as necessary if he could see even the "slightest result." The newspaperman told me that Carranza had placed in charge of the Mexican end of this propaganda work Senor Carpio, who was connected formerly with similar efforts of Carranza at New York City.

Roa, so I was informed, is the real fountainhead from Mexico for various propaganda and publicity schemes. It is a known fact that a publicity director in the United States has been approached with the offer to handle this campaign for Carranza and that the Mexican Government has conducted negotiations with and has considered several newspapermen along these lines.

About December 10 I was introduced by Bonillas to a Mexican by the name of Javier Favela. In several conversations with Favela at a later date, I learned from him that he was one of the confidential messengers between the Mexican consulate in New York City, the Mexican Embassy in Washington, and the Mexican Foreign Office. Favela was in Washington off and on until about January 15, 1920, and for some four or five days each week my brother and myself were in personal contact with him.

From Favela's remarks I learned that he was on the most close and intimate terms with Ramon P. de Negri, Mexican consul general in New York City, and that as a blind Favela operated a stamp and coin establishment in Room 203, at 79 Nassau Street, New York City, Telephone 6068 Courtland, and that he resided at 265 West Twenty-second Street, New York City.

During the time we were in contact with Favela, several times we discussed matters considerably, and whenever he did his extreme

hatred for the United States, and for those who had opposed Carranza and his administration, was more pronounced than otherwise. In several of our conversation, was more pronounced than otherwise. he very frankly said, with innumerable vile and curse words, that he personally proposed to assassinate the publisher of a prominent New York newspaper, as he was more responsible for propaganda and publicity against Mexico than anybody else in the United States. The publisher of the newspaper mentioned was immediately warned, and by request I withhold his name from the committee, but if desired will give them this party's name in private.

Favela, during these conversations, likewise said that plans were on foot, and had been for quite awhile, to cause the assassination of Senator Fall and others, including Capt. Hanson. That was additional confirmation, as mentioned hereinbefore, of the statement made by Seguin and Ramon P. de Negri, Mexican consul general in New York, during November. The threats at that time, November, 1919, were promptly reported to Senator Fall and Capt. Hanson.

My negotiations with the Mexican Government continued as long as it appeared there was any chance to secure any additional information that would be of interest or value in the exposé of Mexico and Mexican affairs, which I had arranged to make in a series of newspaper articles. I felt at that time that I had secured practically all the information that I could. Therefore, on January 28, 1920, after having secured all the information I originally set out to obtain, I broke off negotiations with the Mexican Government, and they at that time paid me \$2,000 in cash. That, together with other payments made to me for expenses, made a total of approximately \$4,500. These payments were to cover, as Bonillas specifically stated, expenses and for the time I had given the Mexican Government.

During the early part of April, 1920, Gene Fowler of the New York American and myself were in a restaurant on Park Row in New York City, and Seguin, accompanied by an attaché of the Mexican consulate in New York, came in the restaurant, and happening to see me he walked over and said, "Hello, Jones." Of course, I spoke to him. Seguin at that time said it had been a fearful mistake on the part of Bonillas and De Negri and himself to have trusted me as much as they had, and that he was ———— sorry that they had done so. One word and another brought on a rather strained situation, and I very frankly told him to beat it, and he did.

I file with the committee a copy of a check for \$920.60, on the Equitable Trust Co. of New York, Colonial Branch, 222 Broadway, dated January 13, 1920, signed by De Negri. That check was given to me in payment of expenses. I also file with the committee the personal card of Favela.

The check referred to follows:

The Equitable Trust Co. of New York.
Payable at Colonial Branch, 222 Broadway.

No. 16.

NEW YORK, January 13, 1920.

Pay to the order of bearer nine hundred and twenty and sixty-hundredths dollars (\$920.60).

R. P. DE NEGRI.

During February, while I was securing the information from Gen. Salvador Alvarado, I suggested to Judge Francis Kearful, the attorney for the Fall committee, the advisability of Kearful running in on Alvarado some party connected with the committee, and talked with him over the telephone regarding this matter, and he answered by telegram as follows: "I can not go. See Wallace Thompson, Murray Hill." I file that with the committee.

(The original telegram referred to is filed with the committee.)

To complete the information regarding the negotiations and information I had secured from the Mexican Government, here is a telegram addressed to Capt. W. M. Hanson, care of Senator A. B. Fall, Sheldon Hotel, El Paso, Tex., dated January 28, signed "Charles E. Cresse," which was my old Department of Justice code name, which reads as follows:

JANUARY 28, 1919.

Capt. W. M. HANSON,

Care Senator A. B. Fall, Sheldon Hotel, El Paso, Tex.

All details regarding information sent forward to you some time ago now complete. Have also secured positive proof which completely involves their principal party here with having through lobbyists influenced and also interfered in matters regarding them before Senate Foreign Relations Committee. Also same party here and their principal representative in New York City, which completely proves their connection with reds. Many other of their plans and efforts, which are far reaching, also secured. Impossible to handle these matters, except personally and confidentially, with Senator Fall or yourself, on account of leaks or being uncovered. Therefore, important: meet me in Washington not later than Monday, February 2, so that investigation on account of important matters connected with same, which are now developing, can be completed. This matter, under no circumstances, is to be known to anyone except Senator Fall and yourself. Wire answer to Chas. E. Cresse, room 614, Hotel Washington.

CHAS. E. CRESSE.

Also, or or about this time, due to the absence of the chairman of the committee, Senator A. B. Fall, from Washington, I took the matter up with his secretary, Mr. Safford, who suggested immediately referring the entire matter to Senator Brandegee, which was done. At that time I suggested the advisability of the committee securing, by subpoena or long-distance phone, records as per details given them by me which would prove that the Mexican ambassador, Bonillas, telephoned at the times I have stated to Mr. Weller at Pittsburgh.

Here is the letter of introduction from Judge Douglas to Gen. Pablo Gonzales, that I introduced into the testimony, but due to the fact that something may come up later, it would be a good idea for me to keep it in my possession.

The CHAIRMAN. Just read it into the record now.

Mr. JONES. The letter which I refer to is written by Mr. Charles A. Douglas, and is as follows:

WASHINGTON, D. C.,
November 4, 1919.

Gen. PABLO GONZALES,

Mexico City.

MY DEAR GENERAL: This will introduce to you Mr. Charles E. Jones of New Orleans. Mr. Jones is a newspaper man of fine standing, both as to ability and character. He has some business in Mexico City and wishes to have the pleasure of knowing you, and I am therefore very glad to give him this note of introduction to you.

I am, sincerely and cordially, yours,

CHARLES A. DOUGLAS.

Now, in connection with that testimony, I will hand the committee later a letter addressed to Senator Fall from the managing editor of the New York American, Mr. Rancke, which states and likewise proves that prior to any and all negotiations with the Mexican Government, as mentioned in my testimony as shown in detail hereinbefore, that I set out to secure, if possible, the information which I have shown in my testimony, and which all of these negotiations with the Mexican ambassador Bonillas and other Mexican officials developed. Mr. Rancke was duly informed of such developments, as was Gene Fowler of the American, who was cooperating with me in regard to that investigation. I have a letter from Mr. Rancke to that effect, which I now file with the committee.

(The letter is as follows:)

THE NEW YORK AMERICAN,
May 12, 1929.

DEAR SENATOR FALL: The series of articles on Mexico and signed by Mr. C. E. Jones, which recently appeared in the New York American was planned as long ago as last November. Mr. Jones laid all of his documents before us at that time. Also he outlined a series of operations by which we would be able to verify certain points not covered by the documents themselves. All of these operations were carried out in detail and with complete success before the first of the articles appeared in this newspaper.

Very truly, yours,

T. V. RANCKE.

The Hon. A. B. FALL.

*Foreign Relations Committee United States Senate,
Washington, D. C.*

Senator BRANDEGEE. Does it appear from this letter you are going to put in that you were subpoenaed before this committee at the request of Mr. Rancke?

Mr. JONES. No, sir.

Senator BRANDEGEE. Did you appear at your own request?

Mr. JONES. No, sir. I have appeared here at the request of Senator Fall. When I originally started on this investigation, as I have shown hereinbefore, I saw Capt. Hanson, at that time chief investigator, as I understand, of this committee in San Antonio. He was very anxious to have me cooperate with the committee and, as mentioned hereinbefore, asked me if I would consider handling the various border investigations with him for the committee. I told him that it was impossible but that at any time I could cooperate with the committee I would be very glad to do so, and at the proper moment would also appear before the committee with all the evidence that I might secure. At a later date, under the name of "Cresse," or "Charles E. Cresse," or my own name, "Charles E. Jones," I from time to time kept the committee advised, as undoubtedly the record shows, in person and both by telegrams and letters, as to certain of the plans and plots and intrigues of those that were endeavoring to discredit the committee, or any other facts that would be harmful to the interests of the United States.

The CHAIRMAN. You were in personal communication with Mr. Rancke, of the New York American, and he knew that you were going to get in touch with the Mexican Government, through its ambassador here, and ascertain any facts that you could that might be of interest to the paper.

Mr. JONES. Yes, sir; even so far as arranging to have Gene Fowler (a reporter of the American) run in by me on the Mexican ambassador.

The CHAIRMAN. You had also known Capt. Hanson, and you met him in San Antonio and had this conversation with him to which you have referred.

Mr. JONES. In the early part of November, 1919.

The CHAIRMAN. Now, during your investigation it was understood by Mr. Rancke, but it was not known by any member of the committee that you were going to Mr. Bonillas or had any connection with him?

Mr. JONES. No, sir.

The CHAIRMAN. But in the course of your communications with Mr. Bonillas, which you have detailed, you ascertained certain things which you thought of such importance that you notified the committee, or some member of it, by telegram, or letter, or both?

Mr. JONES. Yes, sir.

The CHAIRMAN. And you also saw Senator Brandegee at one time, in the absence of the chairman of the committee on the border?

Mr. JONES. Yes, sir.

The CHAIRMAN. And various communications passed between you and the chairman of the committee, and you were notified the committee would be very glad to have you come before it and make your statement?

Mr. JONES. Yes, sir.

The CHAIRMAN. And that is how you came to appear before the committee?

Mr. JONES. Yes, sir.

The CHAIRMAN. This letter you propose to file from Mr. Rancke, addressed to the chairman of the committee, is simply to substantiate the statements which have been made by you in your testimony?

Mr. JONES. Yes, sir. Practically all during this investigation, and shortly after it started, I was in touch, either directly or indirectly, with either some member of the committee personally or some attaché of the committee.

The CHAIRMAN. You were not, however, employed in any way by the committee to investigate Mr. Bonillas or make any discoveries concerning Mr. Bonillas?

Mr. JONES. The only proposition I ever received from the committee was through Capt. Hanson in San Antonio, who asked me if I would consider handling with him the border situation. I, of course, told him I could not on account of the fact that I had other things on hand, and it would be utterly impossible to do it.

I might add right here that I have never received a dollar from any concern or individual directly or indirectly interested for any service that I have ever rendered in completing the investigation and the exposé which I have made, although I had quite a number of offers from various parties that wanted me to accept such employment. I wanted to keep my hands entirely free to do just as I pleased, and for that reason I refused any and all offers of any connections whatsoever.

The CHAIRMAN. You expect to write a book in connection with Mexican affairs, do you not?

Mr. JONES. Probably.

The CHAIRMAN. In the meantime, you have been engaged in newspaper work for the American and possibly other papers?

Mr. JONES. Yes, sir. My reason for appearing before the committee at the present time is due to the fact that on May 11, 1920, I received a letter from Senator Fall that he would be very glad to have me come to Washington and appear before the committee, if it was convenient for me to do so at that time.

I might add something that I have forgotten, that at the time De Negri, Seguin, and others I mentioned in my testimony, said that Senator Fall and Capt Hanson and others would be assassinated, that I was never able to learn who were to do the work. I, however, at a later date, understood from Capt. Hanson that Favela followed the chairman of the committee, Senator Fall, and Capt. Hanson out to San Antonio, Tex., likewise to Los Angeles, Calif., and other points, and that Capt. Hanson secured from confidential sources other than myself information that it was Favela who was to assassinate Senator Fall and himself, Hanson.

Senator BRANDEGEE. Do you know Favela?

Mr. JONES. Quite well.

Senator BRANDEGEE. Has he the reputation of being a bad man?

Mr. JONES. Favela is a fanatic, and he is one of the few Mexicans I have ever known in all my life, which I can probably count on my fingers who, as we say sometimes, has really got the guts. I really believe that Favela has a screw loose, and if I personally saw Favela, after my testimony became public, and he started anything with me, I wouldn't hesitate a minute with him, because I consider him a bad actor.

Senator BRANDEGEE. You mean you would try to get the drop on him, do you?

Mr. JONES. I always let the other fellow have more than a fair chance, but if he started anything with me, I would hang a loaded cane around his neck immediately, and if he made a false move, of course, it would be him or me, and I guess it would be me producing first. If, as I said before, it ever comes to a showdown, and Favela ever gets a chance, he is the kind of a Mexican, the only one of the kind I have ever known, that would just as soon shoot Senator Fall or anybody else, and then bump himself right off. He has a nut loose.

Senator BRANDEGEE. Is it your idea that he is to receive any compensation for performing that patriotic service?

Mr. JONES. No; I don't think Favela could be bought to do that job. I think he is one Mexican, and I said it then and say it now and always will believe it, that is thoroughly 100 per cent patriotic. He is an absolute nut on the question, as he has shown in quite a number of cases time after time. He is a Mexican who said, with a string of oaths as long as a block, that as soon as the damned Americans put their foot on Mexico the plan in Mexico was to touch the oil fields off, set them on fire, and poison the rivers and creeks and wells and water; and that the Americans might think they could jump on Mexico, but when they did they would remember that for the last 10 years there had been half a million of men under arms, revolutionists, bandits, and others in Mexico, and there was not one of them, whether Carrancistas or Villistas, that would not, as he

thought, ally themselves in any group against the Americans, and I believe that is absolutely so.

Senator BRANDEGEE. He seems to be a patriotic gentleman, but is it your idea that of his own volition he intended to do these things, or do you think somebody designated him for that purpose?

Mr. JONES. No, sir; I don't think Favela ever dreamed that, probably due to the fact that long before I ever met him—I will qualify that, maybe two months or a month and a half—De Negri, due to a speech by Senator Fall, exposing his red connections, as I have shown in the testimony, with a like string of oaths, said they had the man that was ready to do this job, and he would do it. Seguin, also confirmed that statment, saying this fellow had plenty of guts.

Favela's office, or rather the place he occupied in the consulate in New York City, was in a back room, way back from all the rest of the consuls. Nobody would ever see him come in or go out. I have been in there a hundred times, and I never saw him there, although he told me where his room was in the back part. His stamp and coin office is a blind. There is no doubt in my mind, after Hanson told me what he did, that he is the man that was to do the job, although I never could definitely learn who it was.

Senator BRANDEGEE. What was his full name?

Mr. JONES. Javier Favela.

Senator BRANDEGEE. What consulate do you refer to?

Mr. JONES. The Mexican consulate, the Mexican consul general, on the nineteenth floor of the Tribune Building, New York City.

Senator BRANDEGEE. What is his business?

Mr. JONES. He is employed by the Mexican Government as confidential agent. He admitted he was a spy for Mexico, which, of course, meant Germany, all through the Balkans during the European war.

Senator BRANDEGEE. How old is he?

Mr. JONES. I should imagine that Favela is about 35, about 5 feet 7 inches high, weighs probably 210 to 225 pounds, rather fat, and speaks some 8 or 10 different languages. He was in love at that time with a German girl in New York City, whom he expected to marry on or about that time. He is a bad actor.

Senator BRANDEGEE. Has he ever had any experience in the Mexican Army, or has he any military rank?

Mr. JONES. That I don't know. He was connected with the Carranza revolution, and must have had. He was on exceedingly close terms with De Negri, but it was very little trouble to gain his complete confidence.

Senator BRANDEGEE. Is De Negri in New York now?

Mr. JONES. He is supposed to be confidential agent there for the Obregonistas. De Negri is probably the closest man to Gen. Obregon in the Mexican consulate service. I will introduce later a letter from Teodoro Frezieres, former consul general for Carranza at Los Angeles, and later at Eagle Pass, Tex., written to Carranza, which I lifted off the desk of the Mexican consulate at Eagle Pass, outlining fully two years ago the Obregonista movement which later developed, in which Frezieres exposed all of De Negri's plans in connection with Gen. Obregon. And the odd part of this whole situa-

tion, it seems to me, is that at the present time, here is De Negri in New York City, here is Alvarado, here is Favela, and everybody else, who were mixed up in all this dirty work against the subcommittee of the United States Senate and against United States Senators, against newspapers and everybody else, and they are now in this country representing the present new Mexican Government. What can you expect from them? They have not changed. They may have put on a different suit of clothes, but down underneath there is the same skin, the same heart, the same feeling.

Senator BRANDEGEE. Do the State Department and the Department of Justice know of the facts which you have testified to before the committee?

Mr. JONES. When Mr. Bielaski resigned as chief, I was at that time handling cases in connection with a new Honduran revolutionary movement, which resulted in the overthrow of Francisco Bertrand by the revolutionary route. I wanted very much to quit when Bielaski got out, but was asked to continue that investigation, which I did, until it wound up last August, I think it was. From that time on the Bureau of Investigation nor the State Department received any information from me. Therefore, necessarily of course, they were not at all familiar with any of these matters, as far as I know.

Senator BRANDEGEE. The particular part of it that I referred to, I wanted to know whether it had ever been divulged either to the Department of Justice or State Department what Bonillas said or what De Negri had said about their getting somebody to assassinate Senator Fall?

Mr. JONES. No, sir; I don't recall that there was any notice given to either one of them, for the reason that I had already notified them that they could no longer expect any reports from me.

Senator BRANDEGEE. But you did notify Capt. Hanson, did you not?

Mr. JONES. Yes, sir. In November, 1919. Five days after De Negri made the positive threat that Senator Fall was going to be assassinated, and also Capt. Hanson, I almost sweat blood for five days trying to worm out of him the name of the man who would do the job, when, where, and how, but anybody who knows Mexicans knows that if you begin to prod them too close and display too much anxiety to learn something, you will kill the whole proposition. We handled it, I think, as scientifically as it could be, but couldn't get it. Then, when I knew I probably would not be able to get the name of the party, the only thing left for me to do was to immediately notify Capt. Hanson, asking him in turn to notify Senator Fall, and the manner of my notification, as I remember, was that Fall and Hanson should watch every Mexican, no matter where they were, and not let him get close to them, because it might be that Mexican who was to do the job.

Senator BRANDEGEE. How did you notify Hanson?

Mr. JONES. I notified Hanson by telegram on November 29, 1919, through A. C. Sullivan of the Department of Justice at San Antonio, Tex., as I did not know where Capt. Hanson was at that time. Hanson then telegraphed Senator Fall on December 1, 1919. I happened to know that, due to the fact that I asked Mr. Safford,

his secretary, whether Senator Fall had received Hanson's warning, and Mr. Safford told me that he had. I then learned later, from other parties who were friends of Senator Fall, that the superintendent of police here, Maj. Pullman, who recently died, was warned, and he in turn warned the superintendent of Capitol police, and assigned a city detective to constantly keep watch on Senator Fall.

Senator BRANDEGEE. When did Bonillas leave here to go to Mexico?

Mr. JONES. I do not remember the date. I can get it for you. I remember that I notified Senator Fall, either through Capt. Hanson or Senator Fall directly, that Bonillas would leave Washington on such a date to go to New York, which I believe was February 6, accompanied by his wife, who would sail on February 6. I believe, to visit her daughter in Italy, and Bonillas's plan, the last time I talked with him in Washington, was then to go to Nogales, Ariz., where he was to cross the border and see Gen. Obregon, who lived a short distance over in Sonora, across from there, in regard to persuading Obregon to pull out of the election.

Senator BRANDEGEE. Do you know who is in charge of the Mexican embassy in Washington now?

Mr. JONES. His name is Fernandez. I don't know him.

Senator BRANDEGEE. Was he here with Bonillas?

Mr. JONES. I don't think so. I think he came after Bonillas left. He had some special work; I don't know what it is.

I will file with the committee a carbon copy of my report of July 6, 1918, to the Department of Justice and State Department, under my department name of Cresse, in regard to J. S. Hess, of New York, calling at the Mexican Embassy, 1413 I Street N W., Washington, D. C.

Also my report of July 6, 1918, rendered to the Department of State and Department of Justice, under name of Cresse, my department code name, entitled "Attache of French Embassy in Washington."

Another report of July 8, 1918, the same name and heading, regarding various visitors at the Mexican Embassy in Washington.

A confidential report of July 8, 1918, to the Department of Justice and State Department signed Cresse and entitled "Regarding party by name of Heinemann," who appeared to be a German, calling at Mexican Embassy, Washington, D. C."

Also a carbon copy of my report of July 19, 1918, signed by Cresse, my department code name, entitled "Interviews with Ignacio Bonillas, Mexican Ambassador to the United States, at Washington, D. C., and ideas and plans suggested as a result of these interviews, which may help to offset Germany's strength in Mexico."

Also carbon copy of report of September 26, 1918, signed by Cresse, entitled "Break alleged to have occurred between Carranza and Gen. Obregon."

Also carbon copy of my report of July 19, 1918, signed by Cresse, my department code name, entitled "Plan proposed by me in regard to capturing German consuls, and German military spies in Mexican and Texas towns along the border."

Also carbon copy of my report of May 13, 1918, entitled "American Army officer stationed at El Paso, Tex., visiting the German consul three times in one week at Juarez, Mexico."

Also carbon copy of my report to Department of Justice under name of Cresse, dated July 1, 1918, entitle "Request for information from chief as to name of Germans in Mexico."

Also additional reports prepared by me for the Department of Justice to be filed for the appendix.

In one of the files here, known as file 2, is a letter from Japan, signed Luis G. Pardo, who was in charge of the Mexican Embassy in Japan for President Huerta.

The CHAIRMAN. That was in 1913?

Mr. JONES. It is dated August 27, 1913, and addressed to Gen. Felix Diaz in Paris, France. A brief summary of the letter is that it fully explains to Gen. Felix Diaz that the Emperor of Japan evaded for approximately two months receiving Felix Diaz as Huerta's special ambassador, and when pressed for a definite answer, very frankly came out and said that it was due to the fact that the Emperor felt it would not at that time do to receive a special ambassador from Mexico on account of the United States probably misunderstanding the matter. Pardo tells Felix Diaz that the press of Japan is very enthusiastic regarding an alliance between Japan and Mexico, and that if Diaz had arrived in Japan and the Emperor had refused to see him, it probably would have resulted in a revolution in Japan.

This file also contains on pages 7 to 9, photographic copies of powers of attorney given by Felix Diaz to Pedro del Villar, his accredited representative in the United States.

Page 19 of the same file contains a letter from T. W. Shannon at Chicago, dated February 7, 1917, addressed to Gen. Felix Diaz, in which Shannon informs Diaz regarding arrangements made to appoint as financial agent in the United States the vice president of one of the most prominent banks in Chicago, whose name is mentioned in the letter.

The file also contains powers of attorney from Felix Diaz to Shannon regarding that matter.

This file contains 127 pages of original and photostatic copies of correspondence passing between Gen. Felix Diaz and his various agents and associates.

Page 91 of the same file contains the Felicista junta agreement in New York City, signed by Pedro del Villar, C. L. Ocon, L. R. Acolea, brother-in-law of Felix Diaz, A. Blanquet, and others.

In file U, pages 39 to 44, is an extremely long letter written by Pedro del Villar to Felix Diaz regarding financial and other arrangements that Villar and his agents in the United States were arranging for the Villista movement.

In paragraph 2, page 43, of that file, the following appears in the letter:

The matter of the English. Remembering your idea of the necessity of a better understanding with England in the maintenance of peace and a strong government in Mexico, I have endeavored to approach the English interests. However, they have really never come out openly, due to the influence of Rabasa over them. But anyhow, I obtained, through Col. Robert, one of the secret agents of the English Embassy, who was present at our meeting, and we came to an understanding with Mr. Alfredo Curphey, and authority was given to draw up an agreement. I had several meetings with him and with Mr. Ellis Ashmead Bartlett, a member of the English Army. Gen. Blanquet was also present at some of these meetings. The final outcome was that the English Government

will hand over to me, through the person or corporation which it deems the most fit, the funds necessary to bring about the absolute triumph of your movement, and as a first installment they will give £500,000, in the instance that the said officer Bartlett will inform his Government that you are standing back of my statement of a friendly understanding with the United States and our friendship for the Allies, and especially for England. He says that he believes you can count with the forces which I have outlined to him and which list I will show you. He trusts that you will listen to his suggestions, and that the government established by you shall be immediately recognized by all of them. The messenger has fullest power of authority, and I feel certain that you will come to an understanding, because that is a clear-cut proposition that suits you.

File Q contains 152 pages of original and photostatic copies of correspondence between the various Felicista revolutionary leaders that participated in the movement, and to and from others affiliated directly or indirectly with them.

The CHAIRMAN. What is the date?

Mr. JONES. They range all the way from July, 1916, up to the end of 1918, and run somewhat into 1919. Some of the 1919 matter pertains to Gen. Alvarez, who was executed at Vera Cruz.

Files J and K contain the Felicista codes, photostatic copies of the same, totaling 268 pages and over 500 photographs of the code.

The CHAIRMAN. Do you mean to say they had that many distinct codes?

Mr. JONES. Yes, sir. The Felicista codes, Senator, were arranged whereby, for instance, Castellanos, their agent in Havana, would have a code between himself and del Villar and Felix Diaz and other persons. His code was a separate and distinct one. Each of the various Felicistas, either generals or whatever they might be, had separate codes. It shows in this way: there is a code headed, "Felicista code regarding Cabrera."

Here is another code regarding Francisco Cardenas. Here is another one regarding Frederico Gamboa, and so on down the line. The codes are all carefully indexed, so if you want to find the name of one of them, for instance, Pedro del Villar, you simply have to turn to "P," under which his name is classified. The code name for President Wilson, which is found on page 153 of file J of the Felicista code, is "Mr. Meddler." The Felicista code name for former Secretary of State William Jennings Bryan, shown on page 153 of file J, is "Mr. Chump." The Felicista code name for Carranza, shown on page 153 of file J, is "Mr. Foxy." The Felicista codes are in file J and K. The code name of former Congressman William S. Bennett, of New York, is also found in a number of places in these codes. Bennett while a member of Congress, according to the statement of Del Villar and others connected with the Felicista movement, was the confidential adviser of del Villar in Washington. Bennett's code name, for instance, in file J, page 153, is shown as "Mr. Smith." His code name is also shown on page 167 of that file.

File O contains 136 pages of correspondence of Ygnacio Palaez, and pertains to many of the different parties directly and indirectly interested in what is known as the Palaez revolutionary movement.

The CHAIRMAN. Who was Ygnacio Palaez?

Mr. JONES. He was a brother of Manuel.

The CHAIRMAN. Manuel Palaez is the anti-Carranza leader in the Tampico oil region, is he not?

Mr. JONES. Yes, sir.

The CHAIRMAN. This correspondence is with his brother?

Mr. JONES. Yes, sir. I first met his brother Ygnacio probably during the latter part of 1916, when he first arrived in New Orleans, and have known him from that time to this.

File T contains 144 pages and index, containing a large and various lot of miscellaneous correspondence pertaining to various Mexican Government officials, Mexican revolutionists, Americans, and others, shown in the correspondence. In this file is a letter of Teodoro Freziera, former Carranza consul at Los Angeles, later consul of Carranza at Eagle Pass, Tex., and now a strong supporter of Gen. Obregon.

File R, containing 125 pages and index, has in it a good deal of correspondence of Guillermo Rosas, private secretary of Mrs. Felix Diaz, to and from many of those connected with the Felicista movement. This file also contains letters passing between Rosas and others regarding several armed expeditions to be operated out of the United States against Yucatan and other Mexican States. The letters of Rosas contain many extremely strong and insulting remarks against the President of the United States, Secretary of State Lansing, and show an extreme hatred for the United States.

File A contains 121 pages regarding the affairs of Guatemala, pertaining to matters that were of interest and value to the United States Government, and likewise many Mexican complications.

File B contains 115 pages of original and photostatic copies of letters and documents regarding Mexican revolutionary activities in Guatemala in connection with Estrada Cabrera, former President of that country.

File C contains the same matter as File B, 92 pages.

File F contains 100 pages and index regarding the revolutionary activities of Gen. Maximo B. Rosales, who was associated in connection with Carranza and other Mexican Government officials in substantiating the evidence, as shown hereinbefore, regarding Mexican and Central American intrigues.

File G contains 70 pages pertaining to correspondence of Pedro Grave de Peralta, a Central American revolutionist, in connection with his intrigue with the Mexican Government officials in their efforts to control Central America, as shown hereinbefore.

File H contains 100 pages regarding correspondence between Rosales and Peralta, regarding the Central American intrigue in connection with Mexican Government officials.

Files I and D contain 127 pages and index in detail showing many of the matters regarding Honduras and Salvador and the efforts of Salvador in connection with Honduras and Mexico to set up in Central America a centralized government to be dominated and controlled by the Government of Mexico.

File S contains 67 pages, original and photostatic copies, of letters and documents passing between Emilio Esponda, cousin of Emilio Rabasa, Alphonso Noyala, Ygnacio Pesquiria, and others, which cover the revolutionary activities and plans of the parties involved.

File X contains 131 pages regarding the correspondence passing between various Mexican revolutionists and others regarding the

plans and activities of an unusually large number of Mexicans. This file also contains several of the signed agreements regarding various armed expeditions to be operated out of the United States.

File Y pertains to activities of the so-called Villa Mexican revolutionary party, 84 pages of correspondence, agreements, etc. This file likewise contains the code of the Villistas. On page 48 of this file is a proclamation from Gen. Villa, in part as follows:

Of course, you know that President Wilson recognized Carranza against the will of the conscientious and honest Mexicans, who have considered the calling of the first chief as a threat, but notwithstanding that injustice I shall not make a treaty with the Germans, because it would be unpatriotic to use foreign elements against the United States. The moment has arrived when the President of the American union and the people will be convinced that Carranza is a traitor, and that he is ungrateful for all past favors, and that he can not see his way clear in international politics.

The CHAIRMAN. Is that not in the shape of a letter to one of his friends, preceding his proclamation, which letter sets forth his principles, or some of them, and refers to a meeting which he expects to have later with prominent Americans, Senator Fall and others, and that he hopes his friend Gen. Scott will also be present?

Mr. JONES. Yes, sir. That is included in the proclamation, which is in the shape of a letter addressed to Luis R. Alvarez, of El Paso, Tex.

File Z contains 121 pages pertaining to lists of various parties alleged to be affiliated with and in sympathy with various Mexican revolutionary activities. That contains what is said to be the most complete list of sympathizers and participants in practically all of the various Mexican revolutionary factions throughout the United States. There are 29 of the files, containing about 4,000 pages.

The CHAIRMAN. These files referred to by the witness and identified as he has been identifying them, are simply tendered by the witness for the use of the subcommittee temporarily for examination, and not to be printed in the record unless at some future time this is ordered by the committee, and the witness may withdraw the files now or at any other time. [The files are withdrawn by Mr. Jones and taken away by him].

Is there anything further you have to say, Mr. Jones?

Mr. JONES. There is the Morazan matter.

The CHAIRMAN. I understand you wish to make a statement in regard to what is known as the Morazan matter, which is the plan for the establishment of a new republic to be composed of Salvador and Honduras in Central America?

Mr. JONES. Yes, sir.

The CHAIRMAN. And which testimony you desire to offer as being a history of the proposition in connection with the Mexican plans concerning Central America, to which you have been testifying heretofore?

Mr. JONES. Yes, sir. The plan of Carranza was to establish, as you have said, the consolidation of Honduras and Salvador into one country in Central America, to be known as Morazan.

The CHAIRMAN. Very well. You may proceed with your statement on the Morazan matter.

Mr. JONES. The utter collapse of two of Carranza's visions of power, his attempt to create in Central America a neutral league

and his efforts to foment revolutions in Central American States and then foist on them his own iron rule found the bewhiskered Don Quixote of Mexico with yet another scheme, more insidious and more fanciful than either of the two plots, up his cunning sleeve.

The third and most amazing political windmill that this Don Quixote sallied forth to encounter is known as "the plot of Morazan."

How his plots and plans were routed by Americans; how his revolutionary movements, financed by himself and by German money, advanced through Von Eckhardt, the German Ambassador to Mexico, were forestalled; how his revolutionary protégés in the United States—Peralta, Rosales, and others—were caught in their intrigues; and how Carranza sought to array a host of Latin-Americans against the United States in the marts of trade, on the seas, and even on military fields, I will now show for the first time as far as the public is concerned.

So deep-rooted was his thirst for power that the wily President of Mexico and his officers, failing to see the handwriting on the wall of his palace of plots in his initial failures, evolved still another intrigue that if had not been blocked would have afforded Carranza the foothold he coveted and which he hoped would place Guatemala, Nicaragua, Salvador, Costa Rica, and Honduras again under Mexican control, as they had been in their union with Mexico in 1821 or 1822.

What is now Central America was ruled in the middle of the eighteenth century by a captain general of Spain. He had under his control in 1787 the Provinces of Costa Rica, Honduras, Nicaragua, Salvador, Chiapas, Guatemala, and additional territories which constituted a total of 13 Provinces.

From 1818 to 1821 Central America broke away from Spanish rule. About this time Iturbide proclaimed the independence of Mexico. He had large ideas of all of Central America becoming a part of the Mexican domain. Even at that early date Mexican rule was beset by stormy seas, for between 1822 to 1825 the Central American federation broke away to set up a separate government, having endured 15 months' connection with Mexico. Central America was again in the position it had occupied at the time of the separation from Spain.

The first Central American Congress assembled on June 24, 1823, under the presidency of Jose Matias M. Delgado. The first constitutional Congress of the federation was installed on February 6, 1825. Mariano Galves was chosen president. From then on Central America's bloody revolutionary policy, with almost yearly upheavals, held forth.

During the early history of Central America there sprang into prominence Francisco Morazan. He was born in Honduras in 1799. His father was a French creole and his mother a Honduran. Morazan, according to historians, stands as the best and ablest man ever produced by Central America. He is described as a soldier, patriot, and statesman.

Enlisting the psychological suggestion aroused in Latin minds by the name and fame of Morazan, Carranza stroked his whiskers—one of the few things he possesses that are not false—and called his movement "Morazan."

In connection with his strong political ally, Salvador, Carranza began his third plot for power in 1917. The dominating idea was

to form a new republic in Central America through the consolidation of the Governments of Honduras and Salvador and known as Morazan. Once this was done, the plan was to have Guatemala hemmed in on one side by the Mexican State of Chiapas and on the opposite confines by the Republic of Morazan.

With money provided by Mexico, civil war, accompanied by sporadic uprisings in Guatemala, would occur and simultaneously armed expeditions would set out from the State of Chiapas and from Morazan against Guatemala. Thus, attacked from without and contending with internal strife, it would have been impossible for Guatemala to stand against Carranza's plans.

With Guatemala beaten to her knees, the Carranza dream provided that a revolutionary leader, theoretically a patriot and native of Guatemala, but in fact a Carranza dupe, would be, under the consolidated force of arms of the entire movement, elected president. With this president, a whole Carranza slate would be placed in office in every branch of government, including the Guatemalan Congress, and apparently in legal balloting.

Shortly thereafter the Guatemalan Congress would vote to become a part of Morazan. This "legal" action would be approved by the President of Guatemala.

In the same way Carranza planned to include Nicaragua and Costa Rica, in the order named, in Morazan. Political intrigues and armed forces would compel these Central American nations to become part and parcel of the new republic.

Realizing that the United States would be opposed to such a plan and that armed American forces might be landed to thwart the scheme, Carranza began to extend secretly his propaganda against the United States dipping into affairs concerning various Latin-American countries. In this manner Carranza believed he could bluff the United States into not interfering with what appeared to be the unanimous desires of the Central Americans themselves to unite in a single Central American Republic.

The political situation then existing in Honduras and Salvador, with each of the Presidents of those nations endeavoring to keep control of their respective Governments in their own families, was the cue for Carranza to organize speedily and attempt to carry through the Morazan plot.

President Carlos Melendez, of Salvador, who died recently in New York City, had been Carranza's personal friend and supported his policies in Central America for some time prior to this plot. This is evidenced by warm speeches of Carranza, in which he extolled the virtues of Salvador's leaders and the constant friendship and cooperation existing between Salvador and Mexico. One speech before the Mexican Congress, on April 15, 1917, set forth the common ideals of the two nations and recounted the fact that Mexico had sent a commission to Salvador to present to that nation several airplanes, a wireless outfit, a large quantity of arms, ammunition, and war supplies.

Later Carranza sent to Salvador additional supplies of arms and ammunition and also many highly trained Mexican army officers, who immediately took charge of Salvador's troops at the direction of President Melendez. President Melendez, knowing that the

constitution of Salvador prohibited him from succeeding himself as President, and notwithstanding the fact that the laws forbade anyone of his blood becoming his successor, and also with the knowledge that he was to become the first President of Morazan, laid plans to elect his brother, Jorge Melendez, President.

Carranza, as shown in my preceding testimony, with Rosales and Peralta and other Central American revolutionists, had plotted to overthrow President Francisco Bertrand, of Honduras, by revolutionary tactics. Notwithstanding his previous attempt to knife Bertrand, and which I have shown to have resulted in a failure, Carranza now extended to Bertrand the hand of friendship. Bertrand, sitting on a tottering chair, was ready for any intrigue that would tend to keep him in power. So he took the proffered hand, bloody and dirty though it was.

This union of two treacherous and grimy paws resulted in each of them agreeing to play the other's game. Bertrand at this time, the latter part of 1918, was contriving to remain in power at all hazards in open violation of the constitution of Honduras by endeavoring to elect his brother-in-law, Nazaro Serrano, to succeed him as President.

The constitution of Hondras forbids the election of any relative by blood or less than three times removed by marriage of the outgoing executive. It forbids also the election of a President to succeed himself.

Serrano was the willing tool of Bertrand. He entered enthusiastically into Carranza's plots. This enthusiasm later resulted in Bertrand and Serrano, in connection with Carranza's plot of Morazan, of throwing Honduras into one of the most gory revolutions in Central American annals.

Bertrand was the son of a Spaniard. He was born in Juticalpa, Honduras. He received a medical education. In 1902 he was appointed coroner of his native township. In 1904, President Bonilla dissolved the Honduran Congress, sending many members to jail. Bertrand was an ardent supporter of these tactics.

In 1906 Bertrand was made minister from Honduras to attend the Central American conference on board the U. S. gunboat *Marblehead*.

Constant revolutionary turmoil was the rule in Central America in those days. The United States, endeavoring to adjust matters amicably, sent Mr. Dawson, of the State Department, on the gunboat *Tacoma* to effect a friendly alliance between the various Central American powers.

Bertrand, as representative of Honduras, attended this meeting. He signed what is known in Central America as "The treaty of Tacoma." Honduras, immediately before this, had experienced one of its most virulent revolutions.

Following the signing of the treaty, Bertrand manipulated affairs whereby he became Provisional President of Honduras. As such he served until the middle of 1914, when he resigned and became a candidate (in violation of the Honduran Constitution) for the Presidency. He was successful in gaining office through a maze of manipulations and was inaugurated in 1915.

Carranza outlined his Morazan plans with meticulous care, sending Salvador Martinez Alomi to Salvador and Honduras as his

special ambassador. Alomi's instructions charged him to lay the groundwork of the Morazan structure.

Alfredo Quinones, a native of Salvador, who was well known as one of the most active of Carranza's confidential agents in Central America, and who also was Von Eckhardt's (German ambassador to Mexico) close friend and confidant, was one of Alomi's principal lieutenants. Another was Gustavo Solano. The latter, for many years, has been one of Carranza's most trustworthy and efficient agents in various plots. He also was "close" to the German ambassador in Mexico. Solano is now private secretary to Espinosa Mirelles, governor of the Mexican State of Coahuila, and a "Carranza man" of prominence.

Alomi and his associates were received by the Honduran Government with marked honors. Alomi organized active juntas in Honduras and Salvador. These headquarters were established for the spreading of propaganda favorable to the merger of Salvador and Honduras into the proposed Central American Republic of Morazan.

Among Alomi's other lieutenants in Honduras and Salvador were Gen. Castillo Corzo and Francisco Lagos Chazaro. These men hitherto had been opposed to Carranza. They were "bought" easily by Alomi, who saw that German money received by him from Carranza, who in turn had obtained the funds from Von Eckhardt, fell into the hands of these aides.

Alomi, Quinones, and others associated with this mission, secured the enthusiastic support and large fiduciary contributions for their plan from some of the most widely known Germans in Honduras. Among the subscribers were the German consul general at San Pedro Sula, Gustavo Maier; Diederico Dreskel, banker and merchant of Amapala and Tegucigalpa; Frank Sierka, merchant and importer of Amapala and Chockuke; Max Roheme, M. Vess, and Theodore Beneke, of Salvador; and Ernesto Siercke, S. Cornelsen, Wilhelm Derde, and Alfonso Dreschel, of Tegucigalpa, and many others.

A season of rapid-fire changes in diplomatic personnel, involving officers of Mexico, Salvador, and Honduras to and from the various countries mentioned, was launched. The purpose of this was that officials of the three Nations desired that so far as possible every diplomatic officer installed should be favorable to the Morazan plot, and those opposed to it should be juggled out of their posts.

Atilio Peccorini was appointed by President Melendez as his representative at Tegucigalpa, the capital of Honduras. Peccorini recently was secretary of the Salvadorian legation at No. 1722 Massachusetts Avenue, Washington. At that time it is charged that Peccorini made monthly trips between Honduras and Salvador in the interest of the plot of Morazan, endeavoring to speed the proposition.

Bertrand's minister of war, Jeronimo Reina, was authorized as the former's confidential agent in the plot of Morazan. He was instructed to work out details of the plan with Peccorini. Reina always had been regarded as "pro-Salvador." He had participated in Central American revolutionary movements with Salvadorian support.

Bertrand's brother-in-law, Serrano, who was proposed as Bertrand's "dummy" successor in the presidency of Honduras, and

who, on assuming office, had agreed to manipulate for Honduras the "legal" merger with Morazan, and was to use his presidential powers to this end and to act with the Congress that was to be placed in the legislative seats of the nation.

President Melendez, of Salvador, through his brother, Jorge, who was "booked" as his successor, was to handle affairs in Salvador along lines similar to those mapped out for Bertrand's brother-in-law in Honduras.

Enemies of Serrano claimed that the latter was not a native of Honduras, but was born in Salvador. It is known that Serrano lived in Salvador for many years, procuring his medical education and practicing as a physician in that country, leaving Salvador for Honduras in the early part of 1917.

On the organization of the preliminary plans of Morazan and on the eve of their being launched, a secret treaty was entered into between President Bertrand, of Honduras, and his proposed successor, Nazario Serrano, and President Melendez, of Salvador, and his slated successor, Jorge Melendez. This treaty was presented by Peccorini, representing Salvador, to Reina, the Honduran representative in this plot. It follows:

First. In the current year of 1919, both countries shall be united in a single Republic, Melendez being President of the new entity and Bertrand Vice President.

Second. The Honduran President shall resign and turn over the charge of the Presidency to the new President.

Third. San Salvador shall be the new capital.

Fourth. The new President shall, at his discretion, organize a cabinet from among the elements most agreeable to the new order; besides, the Vice President shall assume a ministerial portfolio if he so desires.

Fifth. The adoption of military measures in the premises remains in the hands of President Melendez, by ordering the garrisoning, with Salvadorian forces, of the western frontier and northern coast of the Republic.

Sixth. The expenditures for the mobilization shall be made by the Salvador treasury.

Seventh. Into the organized forces may be enrolled Hondurians commanded by Salvadorian or Honduran chiefs, graduates of the Salvadorian or Honduran military schools.

Eighth. To annul ipso facto the existing political constitutions of both countries.

Ninth. Whenever deemed most opportune, there shall be called a constituent assembly, which shall frame the constitution of the new Republic, the attendance of deputies being in proportion to the number of inhabitants.

It was understood by all parties concerned in framing the treaty, that if the instrument ever was made public, articles 5, 6, and 7 were to remain secret.

President Bertrand of Honduras, not being satisfied with the proposed treaty, which had been prepared largely by President Melendez of Salvador, submitted the following counter proposals:

First. Honduras and Salvador would constitute the Confederate Republic of Morazan with San Salvador as the capital, it being understood that both constitutions should be annulled, and after the coup d'etat, the President of the new nation would summon a constitution.

Second. Neither Melendez and Bertrand could be Presidents of the new entity, except if the constituent should select one of them. Melendez would act only as provisional President to supervise the elections.

Third. The Vice President of the Republic of Morazan would choose one of the portfolios in the cabinet and he would be substituted only if failing to win the constituent's confidence.

Fourth. Local presidential elections due in both countries should be stopped on account of the events.

Fifth. The provisional President should select a half of his cabinet among Salvadorian citizens and the other among Hondurans.

Sixth. The new President should control the military service in the northern coast of the Republic. It being agreed that Hondurans and Salvadorians would be, without discrimination, selected to lead garrisons and take command of ports. In all cases the preference would be given to men in uniform, who had finished their careers in Salvadorian military schools. Both countries would pay all public-service expenses and that of mobilization.

President Melendez then personally, together with Bertrand, arranged the final details of this treaty, which contained practically all of their proposals as outlined in the two documents. Shortly after this the United States Department of State received complete information of these intrigues.

The outcome of the plot was forecast if the plan were not interfered with. This resulted in the postponement of the Morazan plot for the time being.

Many of those implicated in the plot of Morazan were blamed by its principals with having "talked too much." It was accepted in higher circles that the United States was "wise" and that "too much talk" had occasioned the "wisdom." Among those credited with speaking too freely of the plot of Morazan was the Minister of War, Reina, who died "in a hurry," despite the herculean efforts of his Salvadorian physician. It was charged that he had been poisoned.

The Honduran minister of foreign affairs, Silverio Lainez, with unusual activity and, so it is said, as a precautionary move, tendered his resignation. It was said of him that he had been opposed to the Morazan scheme; therefore he needed no other spur to quit office than the warning of Reina's death.

Alverado Guerrero, President Bertrand's secretary, was immediately dismissed.

Col. Augusto Coello, who led a revolution with Salvadorian troops and arms in 1910, was appointed as Bertrand's private secretary.

Francisco Majia, the Honduran minister of interior, while calling at President Bertrand's palace, was taken violently ill. He died immediately on his arrival home. Bertrand's enemies accused him of having handed his minister of interior a "cocktail" on the latter's arrival at the palace.

Presidential "cocktails" in Central America, as a rule, have a dangerous "kick." Francisco Majia, having learned of the proposed Morazan plan, was an active enemy of the movement.

Dr. Alberto Membrano, vice president of Honduras, and minister of Honduras to Washington, through enemies of Bertrand, was "wised" to the Morazan plan and immediately protested to Bertrand. This resulted in Membrano becoming persona non grata with his executive and Membrano's friends warned him that his life would be in danger thereafter in Honduras.

At that time it became known that the Mexican ambassador, Ygnacio Bonillas, at Washington, had been the guardian, adviser, and close personal friend of the Salvadorian minister to Washington, Rafael Zalbivar. Membrano's friends charged openly that Bonillas then and now, for Carranza, participated actively in the Morazan plot.

Many of President Bertrand's officials were also accused of "leaking" regarding the Morazan plan. Those who did not die mysteriously or leave the country were thrown into jail. Among those were Eduardo Giullen, Romulo Carvajal, Jose Bonilla, and Nestor Mejia.

The Morazan plan for the moment being blocked, it was nevertheless manipulated under cover. Carranza, through his special representatives, demanded in certain terms that whether or not the plot was known to the United States "to go ahead and put it through."

After Bertrand had begun punishing those opposed to the Morazan plot, he appointed a new Honduran minister to Salvador, Miguel Angel Fortin. The latter, when presenting his credentials to President Jorge Melendez, said:

My Government, which loyally understands the Salvadorian ideals, is hoping that in the near future both brotherly countries shall march in a very close union to fulfill their social and historical destinies.

President Melendez said in reply:

The two countries are one and shall be one.

At that time Andrew Serrano, Bertrand's brother-in-law and proposed presidential successor, was a colonel in the Salvadorian Army Reserves. He ranked as a military adviser to the Salvadorian Army. Shortly thereafter he was appointed by Bertrand as minister of war in Honduras. Bertrand then appointed Dr. Ricardo Urrutia, who had been minister to Salvador, as a special minister and head of a Honduran mission, which he sent to Mexico to complete further plans regarding the plot of Morazan.

Dr. Miralda, who had started his political life in Salvador under the Regalade régime, was made consul general at New York City. Augusto Coello, a strong "pro-Salvadorian," was appointed consul general for Honduras at San Francisco. Leopoldo Cordova, who received his education in Salvador and who lived in that country for many years and married a Salvadorian, was appointed consul general at New Orleans.

Cordova, during the latter part of 1919, was murdered in New Orleans, and it has been said that his assassination resulted from Central American political intrigues.

Serrano, the Honduran minister of war, appointed Trejo Castillo, a Salvadorian lawyer, as assistant minister of that department. The Salvadorian general, Julio Salinas, was appointed commander of the Honduras Military Academy at Tegucigalpa. Another Salvadorian army officer, Col. Jose Leon Majano, was named chief of the Honduran artillery headquarters at Tegucigalpa.

Many Salvadorian army officers were stationed in and near the Honduran Capital. Among them was Gregorio Busteamente.

The Government of Salvador also changed several of its consulates in Honduras and appointed men who could be counted on to cooperate with Serrano. Among these was Dr. Arturo Zelaya, who was sent to Amapala. Dr. Carols Tinell was sent to Choluteca. Jose A. Membrano was placed at Signatepeque. Antonio Lardizabel was assigned to Tegucigalpa.

Dr. Juan Bustillo Rievera, a strong pro-Salvadorian, was appointed minister to Mexico City by Bertrand. Dr. Secundino Turcois, also a firm believer in Salvadorian activities, was named minister to the United States by the President of Honduras.

Long before this, due to Carranza's money, arms, ammunition, and with Mexican Army officers training the Salvadorian army, that country was fully prepared to carry out the Morazan plot. In Honduras, however, Bertrand and Serrano, to put through their part of the Morazan scheme, had a harder row to hoe. It was necessary for them, before entering actively into the final stages of the plot, to oust from the Honduran army all officers who threatened to be opposed to the plan. As has been shown in the consular and other governmental changes, Bertrand had to renovate each and every department, making sure that only "pro-Salvadorians" or persons of Salvadorian nativity were in office.

All offices of importance in governmental and military circles were entrusted to the care of Bertrand's and Serrano's relatives, both of blood and marital relationship.

Through persons who were allied with Bertrand and Melendez in the Morazan plot, individuals who were among those who had "talked too much," it became known that both Honduras and Salvador were pledged unmistakably to the plan of Morazan. Bertrand openly declared that the supreme will of the people of Honduras would determine, on the election of Serrano as president, whether or not it was desired that Honduras and Salvador would unite in the new Republic. Secretly, however, this man assured Carranza, Melendez, and others in the "high circle," that the two countries would be merged, regardless of any sentiment expressed by the people of his nation to the contrary. He emphasized that with a "packed" congress as the tools of the plotters the merger would at once be "legal," speedy, and plausible; that it could not fail.

At the beginning of the Morazan plot, I had reported the complete plan to the Department of Justice and to the State Department. As events unfolded themselves and the plans of these conspirators advanced, I also, through a corps of confidential informants, who were allied with the various factions in Honduras and Salvador, was able to become conversant with all their schemes. I in turn allied myself with the political party in Honduras which was opposed to Bertrand and Serrano, acting as a secret sympathizer and friend of their faction. To cover the entire matter I procured an appointment as confidential agent of the Honduran foreign office. I worked my way into the confidence and won the friendship of Leopoldo Cordova, consul general for Honduras at New Orleans, and whose father, under Bertrand, was treasurer of Honduras.

I was enabled, as shown in my reports to the Department of Justice, to learn in advance of the plans and plots of Bertrand and Serrano. Cordova one evening, dining with me and becoming partially intoxicated, made the positive statement:

Central America will within the next two years be one big republic again, due to the consolidation of each of the Central American countries. As soon as Serrano is elected President of Honduras, the new republic will take root and within two months thereafter will burst into bloom. Cabrera will be forced out of power as President of Guatemala and that nation will then become a part of Morazan.

Cordova, boasting, continued:

My chief, Bertrand, and Serrano have fooled the United States and have hoodwinked Guatemala. They dropped apparently the Morazan plan.

I told Cordova that Bertrand and Serrano, with Melendez and Salvador, never would be able to "put over the Morazan plot." He became angry and retorted:

You know me, Mr. Jones. I am a man of my word. I swear to you by the bones of my grandmother, and I will bet you \$100 that right after Serrano is elected Salvador and Honduras will merge in Morazan.

I declared that the United States "would not stand for this proposition." His answer was:

Honduras, Salvador, Costa Rica, and Mexico, with all our other friends throughout Pan America, are too strong for the United States. The United States will not be able to interfere further in our affairs. It is true we can not whip the United States physically, but when we cut off our commerce, which will go to England, Germany, and France, instead of the United States, watch the Americans howl!

Cordova then told me that when the new republic of Morazan was formed that he was to be its consul general in New York City. I learned from him then of the perfect understanding between Honduras, Salvador, and Mexico regarding the Morazan plot, and he reiterated his statements in later conversations with me. He added:

Carranza (with whom Cordova thought me very friendly) evidently doesn't understand why the delay had been and is being occasioned in failing to form the new republic of Morazan. Carranza is very impatient about the tardiness of action.

Cordova went on to say that much Mexican money had been advanced and spent by Carranza to those implicated in the Morazan plot.

As opposition in Honduras to the plans of Bertrand and Serrano developed, there was launched a reign of terror in Honduras. This resulted in the mysterious poisoning of many of those opposed to Bertrand and Serrano. Others were assassinated, and hundreds of Hondurans were cast into filthy and disease-infested prisons and penitentiaries. In addition to these, several thousands of prominent citizens, professional and business men, were forced to flee the country.

Dr. Alberto Membrano, vice president of Honduras and minister of the United States, was in Honduras during the reign of terror. He fled to save his life. T. Sambola Jones (no relation of mine), United States minister to Honduras, had been in that country only six or eight months when Bertrand's iron rule decreed an epidemic of death and persecution. Several months after his arrival he had married the 18-year-old daughter of Chief Justice Duron of Honduras. His father-in-law was opposed to the Morazan plot. The chief justice took refuge in the United States legation to escape Bertrand's persecution. The United States minister protested vigorously to President Bertrand regarding the reign of terror waged in open violation of Honduran laws and asked him to stop this outrage in the name of civilization. The protest served to increase Bertrand's activities along this line.

On the day following the American minister's protest, Bertrand penned a letter to Leopoldo Cordova, his consul general at New Orleans, and his enthusiastic supporter in the United States. In this communication, Bertrand recounted the words of Ambassador Jones and instructed Cordova to issue newspaper interviews immedi-

ately, "boosting" Serrano and Bertrand and endeavor to discredit in these articles the United States minister to Honduras. This was to be done by claiming that Jones had married into a Honduran family that was active in its opposition to the President of Honduras.

I talked Cordova out of this plan. I showed him that it probably would have a reactionary effect on Bertrand and Serrano, and also on himself. I asked him what Bertrand's opinions were regarding the protest of the American minister. His answer was:

Bertrand has said: "To hell with the United States!" Bertrand, having the friendship, financial and moral support of Salvador, and backed by Carranza, proposes to elect Serrano and then create the new Republic of Morazan, whether the United States approves it or not.

Later that day Cordova and I dined together and after he was in the process of drinking his usual quota of liquor I wormed out of him the fact that there was a secret treaty, offensive and defensive, between President Carranza, of Mexico, and Salvador and Bertrand and Serrano, of Honduras. He said proudly:

My chiefs, Serrano and Bertrand, are men of honor. Their word is gold. They have promised faithfully President Carranza his complete triumph in Central America; first, through the Morazan Republic, and then all the other Central American countries will be forced, for their own salvation, to become a part of the Morazan Republic.

In several interviews with Dr. Alberto Membrano, and also in conferences with Rafael H. Valle, who is now secretary of the Honduran border dispute commission at Washington, I learned that Dr. Membrano, then minister of Honduras at Washington, had attended several meetings of Pan American diplomats at the National Capital. The Mexican ambassador, Ygnacio Bonillas, and other diplomats were endeavoring at that time to form Carranza's Pan American league of neutral nations. Bonillas, Valle told me, was a leading advocate of the league formulation of these conferences.

Membrano claims to have been responsible for the defeat of the Bonillas proposals to establish such a league. His success in this respect, Valle told me, occasioned much disgust on Bonillas's part.

Membrano has been the storm center in Honduran politics for many years. About 25 years ago he became prominent in political affairs of his country. This was made possible by his friendship with Gen. Luis Bogran, then President of Honduras. Bogran appointed Membrano assistant secretary of public works.

Membrano was on a special mission to Spain from 1904 to 1907. Having returned to Honduras in the latter year, he was then forced to flee the country when President Zelaya, of Nicaragua, forced President Manuel Bonilla from office. Davilla was the successor to the presidency and Membrano resided in Mexico City as a political exile from 1908 to 1911.

When Gen. Bonilla regained office, he appointed Membrano as minister to Mexico, where Membrano served during the brief régime of Madero. Shortly after Madero's assassination Membrano was appointed minister to the United States. He acted in this capacity at Washington until the latter part of 1919.

Membrano was elected Vice President of Honduras in 1915, still retaining his office of minister. He always claimed friendship

for the United States, but his political enemies charge him with being a supporter of American policies only when those policies benefited Membrano.

Germans have been strong in political and financial power in Honduras for many years. Particularly was the then German owned and controlled banking house of G. Amsinck & Co. active in Honduran affairs. This firm had its branches in all principal towns of Honduras and an American headquarters at Nos. 2 and 4 Hanover Street, New York City. The New York headquarters had acted for many years, it is said, on the instructions of Membrano, as financial agents in the United States for the Honduran Government. It is a known fact that during the time it so acted the firm received the funds and remittances from various Honduran consulates in the United States.

In July, 1919, the reign of terror instituted by Bertrand and Serrano in Honduras and which was caused solely by Carranza's Morazan intrigue came to a head. It had resulted in the assassination of scores of prominent persons opposed to the ring leaders of the plot; the imprisonment of hundreds of others; the exodus of thousands more from Honduras to escape the poisoned chalice or the dagger thrust in the back.

One of the principal opponents of the Carranza-Melendez-Bertrand-Serrano plot of Morazan was Gen. Rafael Lopez Gutierrez. Gutierrez had been prominent for many years in Honduran political and military affairs. With Bertrand's "unseen hands" reaching for his throat and with a whispering of threats of imprisonment reaching his ears, Gutierrez escaped from the capital and, together with Gen. Francisco Carbone, rallied others who were "in the same boat."

Thus was launched a civil-war movement in Honduras which culminated shortly thereafter in that country being aflame. Bertrand and Serrano, backed by Carranza's money and supplied with large quantities of arms and ammunition provided by Carranza through Salvador, and with many Mexican Army officers training Salvadorean troops, the latter officers transferring themselves to the Honduran colors, endeavored to cope with the situation. Bertrand and Serrano resisted the movement until the early part of September, 1919.

Irrespective of repeated and encouraging messages from Carranza and his allies in Salvador that he would support them to the limit, Bertrand and Serrano, together with their principal friends and supporters, began their plans to flee. They knew they had "had enough."

Bertrand and Serrano slipped out of their country, escaping from Amalpa, the principal port of Honduras on the Pacific. From there they went to Panama, and early in October, 1919, reached New Orleans. The two defeated plotters were enthusiastic over Carranza's way of doing business when they arrived in America.

They lost little time in launching a plot to begin a counter-revolutionary movement against Gen. Rafael Lopez Gutierrez, who had become President of Honduras. The Bertrand-Serrano movement was scheduled to start from Mexico and Salvador. It was to be supplied liberally with money, arms, ammunition, and boats. Mexican Army officers were to be present in the forces in large numbers.

Thus was revived Carranza's ancient plan to attack Guatemala and other Central American countries. The Department of Justice had blocked all his former attempts, but the archconspirator of Mexico was not dissuaded from his system of intrigue and until his death several weeks ago was actively engaged in perfecting the plans for Bertrand and Serrano's movement.

President Estrada Cabrera, of Guatemala, fearful of Carranza's present plan—the attack from Chiapas and Salvador—sent one of his officials to the United States, who arrived in New Orleans about the same time that Bertrand and Serrano reached that city. Cabrera's representative was instructed by his chief to try to bring influences to bear on the United States through the Guatemalan legation at Washington to defeat the plans of Carranza.

This representative told me during September of 1919 that the financial backing, war equipment, etc., of the contemplated movement against Guatemala had been supplied by the Mexican Government and from large German interests in Mexico. The latter, he said, were prominently identified with activities against the United States during the World War.

Gen. Antonio M. Monterrosa, one of the best-known soldiers in Central America, and a commanding general in the army of Honduras, confirmed what the Cabrera representative told me. He said on September 8, 1919, that the Government of Mexico from the Mexican States of Chiapas and Tabasco was cooperating fully with the revolutionary movement that was being organized then against Guatemala. He said it was and is the opening move of Carranza's fourth attempt to dominate Central America by extending his dictatorship beyond the confines of Salvador, which he dominates as thoroughly as if he held office in that country.

The committee now has in its possession a signed statement secured by me from Gen. Monterrose which provides further confirmation of the declarations made by Cabrera's representative.

During February and March, 1919, Carranza acted in concert with his old-time circle of Central American conspirators to combine German money with Mexican hatred of America in a fourth attempt to control Central America.

My reports to the Department of Justice, from the start of each of the three Central American intrigues to their conclusion, covered all facts set forth in my testimony before the committee. Rafael H. Valle, secretary of the Honduran Boundary Dispute Commission, recently substantiated all my claims regarding the Morazan plot in the presence of Gene Fowler, a reporter for the New York American.

Morazan, Carranza's third dream, failed without occasioning any serious backfire that might singe the moth-proof beard of Mexico's President. Now comes his fourth attempt, with Carranza sitting at the gaming table, eager and ready to deal marked cards to all who may play with him. The fourth dream will be followed by a fifth and sixth if this Mexican monstrosity is not checked for once and all time in his mad gallop for power across the length and breadth of Latin-America.

The CHAIRMAN. Is there anything further, Mr. Jones?

Mr. JONES. That about covers it, with the exception of Cantu.

The CHAIRMAN. What do you know about Cantu?

Mr. JONES. I will have to get that file for you.

The CHAIRMAN. You mean the governor of Lower California?

Mr. JONES. Yes, sir.

The CHAIRMAN. It has been understood generally by the public that he is acting somewhat independently of the Carranza Government.

Mr. JONES. Yes, sir: he always has.

The CHAIRMAN. I believe we will not go into that at this time. I think of nothing further to ask you, Mr. Jones. The committee thanks you very much for your testimony.

APPENDIX TO TESTIMONY OF CHARLES E. JONES.

SAN ANTONIO, TEXAS,
DEPARTMENT OF JUSTICE,
BUREAU OF INVESTIGATION,
January 13, 1919.

To whom it may concern:

It affords me pleasure to state that I have known the bearer, Mr. Charles E. Jones for the past year or more. During that period, he has been connected with the Department of Justice, and has been of great assistance to other agents of the department in this section of the country, and has furnished us with very valuable information.

Mr. Jones is thoroughly posted on Mexican matters, a man of good judgment and extraordinarily resourceful, and I recommend him without reservation.

Very truly, yours,

H. E. BRENNIMAN,
Division Superintendent.

GONZALEZ ROA, CARBAJAL & LECKIE,
ATTORNEYS AND COUNSELORS AT LAW,
EDIFICIO DEL BANCO DE LONDRES,
MEXICO, D. F., May 20, 1918.

HON. IGNACIO BONILLAS,
Mexican Ambassador, Washington, D. C.

MY DEAR MR. AMBASSADOR: This will introduce you to Mr. Chas. E. Jones, of New Orleans, who is a newspaper man of wide repute, and is one of the hardest working, most energetic, and resourceful men it has ever been my fortune to know. Whatever he undertakes I have the best of reason to believe he will carry through on a scale of 100 per cent. He has a matter of business, the nature of which I am not familiar with, that he wishes to take up with you, and I bespeak for him your consideration and if possible your aid in the business he has on hand.

With much respect and hoping to see you in person some time in July, I am,

Very cordially, yours,

ADAM LECKIE.

CONSULADO DE MEXICO,
New Orleans, La., junio 17 de 1918.

Sr. ING. YGNACIO BONILLAS,
Embajador de Mexico, Washington, D. C.

MUY ESTIMADO Y FINO AMIGO: El portador de la presente es el Señor Charles E. Jones, quien me permite presentar a Ud.

El Sr. Jones va a esa con el propósito de hablar con Ud., y he de agradecerle se sirva atenderlo.

De Ud. atento amigo afmo., y S. S..

R. E. MUZGUIZ.

TRANSLATION.

June 17, 1919.

MY DEAR FRIEND: The bearer of this, Mr. C. E. Jones, you will permit me to introduce.

Mr. Jones goes to Washington with a proposition to talk over with you which will benefit you to give attention.

Your firm friend and servant,

R. E. MUZGUIZ.

Mr. Jones has a special commission from the Secretary of Relations, which he has permitted me to tell you. I believe Mr. Jones is sufficiently informed in the matter he is handling and no doubt it is a very good remedy.

UNITED STATES DEPARTMENT OF LABOR,
IMMIGRATION SERVICE,
OFFICE OF INSPECTOR IN CHARGE,
Los Angeles, Calif., October 15, 1918.

Mr. H. P. L. BECK,
Inspector in Charge,
Tia Juana, Calif.

DEAR BECK: This letter will be presented to you by Mr. Charles E. Jones, of the Washington office of the Department of Justice. He is engaged on confidential investigation in Mexico, and it is desired that you issue him a permit card and waive the attachment of photograph. In the event that Mr. Jones desires to have any other persons accompany him please issue cards for the necessary permits to depart.

You should extend all possible courtesies to Mr. Jones and treat the matter strictly confidential.

JOSEPH A. CONATY,
Acting Inspector in Charge.

DEPARTMENT OF JUSTICE,
BUREAU OF INVESTIGATION,
Washington, September 17, 1918.

C. L. KEEP, Esq.,
Federal Building, Los Angeles, Calif.

DEAR SIR: This note will introduce to you Mr. Charles E. Jones, who is in Los Angeles and vicinity on a confidential investigation regarding Mexican revolutionary matters. Please render him all proper assistance.

Very truly, yours,

A. B. BIELASKI, *Chief.*

DEPARTMENT OF JUSTICE,
BUREAU OF INVESTIGATION,
San Antonio, Tex., October 3, 1918.

H. B. MOCK, Esq.,
Department of Justice, Tucson, Ariz.

DEAR SIR: This will introduce to you Mr. Charles E. Jones, who operates with this department in connection with the New Orleans, La., office.

Mr. Jones is making a special trip along the Mexican and Arizona borders on department business, during the course of which he may have occasion to stop over in your city.

You will find Mr. Jones very thorough in his work, particularly conversant with the lines upon which he specializes and, withal, a courteous and likeable gentleman. Any assistance you may be disposed to afford him, in connection with the aims of this service, will be appreciated by me.

Yours, very truly,

C. E. BRENNAN,
Division Superintendent.

SERVICIO CONSULAR MEXICANO,
CONSULADO GENERAL EN EL PASO, TEX., P. O. BOX 528.
El Paso, Tex., Agosto 6, de 1918.

Mr. CHAS. E. JONES,
New Orleans, La.

DEAR MR. JONES: I am in receipt of your esteemed favor of the 27th of July last, contents of which I have noted.

Your suggestion is, as you say, important, and I am transcribing your letter to the department of foreign relations so they can give the Mexican consuls the necessary instructions.

Yours, very truly,

ANDRES G. GARCIA.

SERVICIO CONSULAR MEXICANO,
CONSULADO GENERAL EN EL PASO, TEX., P. O. Box 528.
El Paso, Tex., August 6, 1918.

Re Leaks.

Mr. CHAS. E. JONES,
New Orleans, La.

DEAR MR. JONES: I beg to refer to your favor of the 31st of July last and to state that I have taken notice of its contents and that your reports in the future will be signed Pedro Diaz and Godchauxis number 10.

With best personal regard, I remain,

Yours, very truly,

ANDRES G. GARCIA,
Mexican Consul General.

SERVICIO CONSULAR MEXICANO,
CONSULADO GENERAL EN EL PASO, TEX., P. O. Box 528.
El Paso, Tex., Agosto 5, de 1918.

Sr. CORONEL TIRZO GONZÁLEZ,
Jefe de las Armas, Matamoros, Tamps., Mex.

MUY ESTIMADO Y FINO AMIGO: El portador de esta es el Señor Chas. E. Jones que está comisionado por la Secretaría de Relaciones Exteriores de nuestro Gobierno para vigilar y procurar contrarrestar los trabajos que los enemigos del mismo Gobierno desarrollar conspirando en este país.

Por lo anteriormente expuesto me permito suplicar a usted se sirva prestar su valiosa ayuda al citado Señor Jones para el mayor éxito en la comisión que se le ha conferida, y, no dudando que se servirá atender mi recomendación, aprovecho esta oportunidad para repetirme con todo gusto su muy afectísimo amigo y atto, S. S.

[Translation.]

ANDRES G. GARCIA.

EL PASO, TEX., *August 5, 1918.*

Sr. CORONEL TIRZO GONZALES,
Chief of Arms, Matamoros, Tamps., Mex.

MY DEAR FRIEND: The bearer, Mr. C. E. Jones, has been commissioned by the secretary of foreign relations of our Government to watch and counteract the work of the enemies of the same Government who are plotting in this country.

On account of the foregoing permit me to ask you to lend your valuable help to the aforementioned Mr. Jones in the completion of the task assigned him, and not doubting that you will give attention to my request I take the opportunity to repeat to you with much pleasure my sincere regards.

Your servant,

ANDRES G. GARCIA.

[Telegram.]

OCTOBER 1, 1919.

Señor PESGURIA,
Consul General of Mexico, New Orleans, La.:

Please telegraph me at once, my expense, care Washington Hotel here, telegrams of introduction to Consul General Denegerie at New York; also similar telegram of introduction to head of financial agency, New York. Greatly appreciate receiving these immediately.

CHAS. E. JONES.

THE FOLLOWING ARE A FEW REPORTS FROM SEVERAL THOUSANDS IN MY FILES THAT MAY BE OF INTEREST.

These reports are signed Cresse, which was code name of Chas. E. Jones at the Department of Justice.

Confidential report by Cresse to Department of Justice re letter written by Mexican Consul Teodora Frezieres at Eagle Pass, Tex., to President V. Carranza, of Mexico:

NEW ORLEANS, LA., *May 13, 1918.*

On May 3, while at the office of Teodora Frezieres, Mexican consul general at Eagle Pass, Tex., we were talking about Gov. Cantu, of Lower California.

Frezieres said he had enough information regarding Cantu to have President Carranza hang him, and had written Carranza a long letter about Cantu, but was afraid Carranza's private secretary, who was a friend of Cantu's, had held his letter up and that Carranza, therefore, he felt sure, had not received same.

Frezieres then showed me carbon copy of the letter, and I told him, why, I can arrange it so that letter could be personally handed to Carranza by a good friend of mine in Mexico City, namely, Mr. Adam Leckie, who was on very friendly terms with Carranza. I then said, "Sure I can do that for you," and put the consul's carbon copy of that letter in my pocket. At that moment he had a long-distance telephone call to attend to, and apparently forgot all about the letter. I then left, and before I returned to the consulate made a copy of the letter. When I returned to the consulate, Frezieres began to yell for his letter and I told him I had put it in my pocket by accident and then handed it back to him. He said nothing more about sending copy of it by me through Leckie to Carranza.

On May 4, when I returned to San Antonio, handed the copy of this letter, which was in Spanish, to Ed. T. Needham, of your San Antonio office, to have English translation made of same. Needham, I understand, on May 6, made report on this letter, and sent copies of same to Maj. Barnes, your Eagle Pass office, San Antonio office, and yourself.

The letter is as follows:

LOS ANGELES, CALIF., April 25, 1918.

MR. PRESIDENT OF THE REPUBLIC,
HON. VENUSTIANO CARRANZA,
Mexico, D. F.

MR. PRESIDENT: I am just in receipt of instructions to return to my consulate at Eagle Pass, Tex. My separation from the consulate at Los Angeles, which I represented for a period of 40 days, became imperative when all the reactionary element, under the leadership of Col. Esteban Cantu, formed a combination to avoid my taking notice of the grave situation created by the following:

The group of deathly enemies of the Government which is organized by ex-Federals, namely, Attorney Jorge Vera Estanol, Orcl, Generals Luis E. Torres, Refugio Velasco, Hernandez. The group organized by Zapatistas whose official agency will be managed in this city by Dr. Atl, Attorney Octavio Paz, and Attorney Jacinto Barrera, actually Government secretary from the northern district. I wish to note that Mr. Barrera, who is a colleague of the aforesaid gentlemen, and Octavio Paz were at the head of the government of the northern district of Lower California in 1911, and they now wield a large amount of influence over the men of the lower category who number about 30,000 and reside in this city.

There is another group organized by the son-in-law of Gen. Otis, now proprietor and director of the Times, whose legal adviser is Jorge Vera Estanol. It may be added that in this connection Otis is associated with D'Oheney, owner of the petroleum wells in the region where Pelaez, the rebel, is operating. And it appears that Pelaez is supported by D'Oheney himself through the instrumentality of Gen. Garcia Naranjo. Garcia Naranjo was recently in this city to hold a conference with D'Oheney and Vera Estanol, the former having left soon afterwards for Washington.

There is another group organized by Col. Esteban Cantu. Cantu is one of the directors of these groups, and he is said to have the support of Mr. Jacinto Barrera, secretary of the government. It is also said that they maintain steadfast relations since they served under Gen. Gordillo Escudero in the administration of the northern district of Lower California.

The aforementioned Barrera came here with the group of which Cantu is the head, a group composed of "Huertista" generals, "Villistas," "Felicistas," and of other men who do not profess friendship to the Government generally. Also it is composed of consuls who maintain amicable relations with Cantu. As a matter of fact the consuls unconditionally are under Cantu's subjection.

It may not be out of place to add further that the consul who is supposed to be actually on duty at San Diego spends the greater portion of his time in Mexicali, Lower California, which is 200 miles apart from his post. When I assumed charge of the consulate at Los Angeles I found that the consul who was stationed here, J. M. Carpio, was in Mexicali. These details indicate that the nucleus of our political difficulties is to be found also among this element. Moreover, it is clear that to give way to the policies of our enemies is the same as capitulating; to shut our eye and turn our ear from that which is going on is the same as allowing ourselves to be overrun by fatality.

Piedras Negras, Mexico, that afternoon to meet Gen. Peraldi, the Mexican military commander general of the Piedras Negras district.

At 2 p. m. on May 2 the consul took me to Piedras Negras and I was introduced to Gen. Peraldi, who told me he was the nephew of President Carranza, of Mexico. He likewise asked me if I was not the well-known revolutionary participant in the affairs of the Felicista party. I told him that was my general reputation, but that my connection with the Felicista party had been due entirely to in that way allow me the opportunity to secure all of the inside story of their activities, so that I could along these lines have the correct information which I proposed to use in connection with my newspaper business.

The consul and he seemed to be anxious to secure my cooperation, and of the newspapers supposed to be represented by me, in regard to helping the Carranza Government from a publicity standpoint.

I, of course, damned the Felicista revolutionary party and all others of the same class to Gen. Peraldi, stating they were a bunch of bums and everything of that kind, and apparently toward the end of my interview with Gen. Peraldi secured his confidence to a certain extent, and if such was not the case then in that event he must have been drunk, for he talked very frankly in regard to his plans, hopes, etc., for the Carranza Government. He also said the revolutionary leaders or anybody else opposed to his Government were due for a great surprise if they ever jumped into his territory, for everybody thought he had only 200 men in his military district, when, as a matter of fact, he has over 800 well-armed and equipped soldiers, and likewise was bringing up over 1,000 more soldiers, which he proposed to hide out in the mountains back of Piedras Negras.

Gen. Peraldi endeavored to the best of his ability to convince me of the fact that he was strongly pro-American, and wanted at all times in every way to cooperate with the military and other Government officials on the American side of the river.

As a matter of fact Gen. Peraldi, I understand, has but very little use for America or Americans, but at the same time has accumulated during the last year or so a very hearty respect for the power of this country. This has resulted in him apparently at all times cooperating with Col. Day, the American military commander on the American side of the river. Col. Day always being honorable and in the open, but Gen. Peraldi, on the other hand, while apparently in every way cooperates with Col. Day and other American officials, has under cover and behind their backs been double-crossing them to the best of his ability at every opportunity.

It likewise seems to be a well-known fact in Eagle Pass that Gen. Peraldi has in his command at or around Piedras Negras two Germans, who have had military experience either as officials or noncommissioned officers in the German army. These two Germans are said to have some military rank in Peraldi's forces.

It is also a well-known fact in Eagle Pass that Gen. Peraldi has harbored and assisted some 40 or 50 draft dodgers who have slipped over the river into Piedras Negras and surrounding territory.

Gen. Peraldi, so it is said, readily extends his cooperation and everything of that kind to Col. Day in Mexican style, and whenever any calls for the cooperation it is so long that it becomes a proposition. This is illustrated by the fact that on April 29 to May 1, 1914, four or five head of horses or mules were sent from a ranch near Piedras Negras and run over the river into the territory controlled by Gen. Peraldi. Gen. Peraldi said in Eagle Pass that as a matter of fact he had no objection to the horses or mules, but that the horses or mules were the ones who were sent after the horses or mules were sent. Gen. Peraldi said that after the horses or mules were sent, Col. Day telephoned Gen. Peraldi, telling him that the horses or mules were back, and Gen. Peraldi said that he would send the horses or mules back to the American side of the river. Gen. Peraldi said that the horses or mules went by and the horses or mules were sent. Gen. Peraldi said that the horses or mules were sent 7 or 8, were not sent.

This resulted, the Intelligence Bureau to Piedras Negras.

Would respond officers, whether for in the end shot at the U. S. serious inter-

At my conversation with Col. Day at his headquarters, as mentioned in my report of this date regarding conditions at Eagle Pass, Tex., he told me that Gen. Peraldi had only 200 or 300 men in his military command. This shows that Gen. Peraldi has deliberately misinformed Col. Day regarding the number of men he had.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re general conditions in Eagle Pass, Tex.

NEW ORLEANS, LA., May 13, 1918.

Col. R. F. Day, in command of the Third United States Infantry, at Eagle Pass and also for considerable distance up and down the Rio Grande River, I understand, has only Infantry in his command, therefore is not in a position to thoroughly guard the river on the American side in his district.

Mr. Beverely, your special agent in Eagle Pass, at 10 p. m. May 2, at Col. Day's headquarters introduced me to him, and I found Col. Day very well posted regarding the Mexican-border situation. He is decidedly enthusiastic at all times in regard to cooperating with your department. He is on very friendly and intimate terms with Mr. Beverely, who has been able to win his confidence, therefore is likewise securing for your department the full cooperation of Col. Day, who also seems to be in charge of the military intelligence work in that district.

Prior to my introduction to Col. Day, Beverely told me it was unfortunate that Col. Day was a great believer in the honor and integrity of the Carranza general on the other side of the river, namely Gen. Peraldi, but that he (Beverely) hoped to be able to convince Col. Day of the fact that Gen. Peraldi, and all of the Carranza government officials in Eagle Pass and Mexico were constantly double-crossing him.

Col. Day has in every way been honorable and fair in all of his transactions with the Carranza officials, and they, as the average Mexican always will do, in turn, at every opportunity, have double-crossed Col. Day.

The river at Eagle Pass and for many miles up and down the river from there can be crossed at almost any point; and according to the statement of my informant there, likewise the Carranza consul at Eagle Pass, this has resulted in large quantities of goods of almost every description being smuggled into Mexico from the United States daily. The same applies to goods being smuggled from Mexico into the United States and to Mexicans and Americans crossing the river at will. Beverely and my informant there also made the statement that large quantities of foodstuffs, which are prohibited by the War Trade Board from being exported into Mexico, are daily smuggled over the river at or around Eagle Pass.

The situation regarding the activities of the smugglers at or around Eagle Pass are not due to the lack of hard work of the customs guards or other Government efforts there, or the military patrol, but seems to be due to the fact that they have not a sufficient number of guards on the river there.

While at Eagle Pass learned it would be well to have a national bank examiner examine the national banks in your department, and that such an examination would be of great value. Information of value. The same applies to the branches regarding investments which are

The Western Government is alleged to be full of leaks, and it is not known whether its contents are generally known. I could learn some and fully performs his duties. It is a censor at Eagle Pass and about the affairs of the State officials, banking, telegraph, railroad, and other either with the State Pass office, is put in an investigation well

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Eagle Pass, and with the difficulties he is handicapped with on account of local conditions there. Beverly has, in my opinion, done remarkably well, for with few exceptions there is hardly a man, woman, or child in Eagle Pass, with the exception of the military and Government officials, that at any time can be trusted, or that would give to the United States Government, through Beverly their cooperation. He has made for your department and himself many friends there, who, however, as stated, when it comes to affairs pertaining to the Government can not be trusted.

Beverly is also badly handicapped because he has not the necessary file cases and other equipment of the same kind to safely preserve the records of your department there.

Whatever successes I may have had in regard to securing information sent forward to your department in my several reports regarding the situation at Eagle Pass, and the activities of the Mexican Government and revolutionary leaders there, were secured by me largely through the extreme cooperation extended to me by Beverly and through him by my informant there.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re my negotiations with Mexican Government to become chief of their secret service in the United States.

NEW ORLEANS, LA., May 25, 1918.

As mentioned in my previous letters and reports, likewise my several conversations with you in person, I have always had the idea as you know of eventually endeavoring to form a connection with the Mexican Government to handle their publicity department, likewise secret-service work in the United States.

When Mr. Adam Leckie passed through New Orleans in January, 1918, I at that time discussed the proposition with him, and he said he would take the matter up direct with President Carranza, also with Gen. C. Aguillar, Mexican minister of foreign affairs.

During April, 1918, this matter came to a head through the consul general of Mexico at New Orleans, who is said to be a relative of President Carranza. Through him received the request to go over the entire proposition with Andres Garcia at El Paso, Tex., inspector general of Mexican consulates, and who is also the chief of the Mexican secret service.

While in El Paso on April 19 and 20, 1918, I went into this matter very fully with Garcia, and at that time received proposition from him which he however stated was entirely at a later date subject to the approval of Gen. Aguillar, minister of foreign affairs for Mexico.

Garcia's proposed proposition was that I would become chief of the Mexican secret service in the United States, receiving a total of from \$3,000 to \$5,000 per month to operate their secret-service work in the United States, and additional funds whenever same were shown to be necessary.

Furthermore, that with a few exceptions their present secret service force in the United States would be turned over to me and under my orders. I at that time learned they have five men at El Paso, five at San Antonio, two at Del Rio, three at Laredo, three at Eagle Pass, three at Brownsville, four at New Orleans, two at Washington, five in New York, five in Los Angeles, three in San Francisco and others scattered out in smaller places. They are paying these men from \$100 to \$150 per month, and with the exception of railroad transportation, their men pay their own expenses. I asked Garcia what my work would consist of and he said handling any and everything that would be of interest and value to the Mexican Government.

Another part of his proposition was that the Mexican Government would pay me also a total of \$40,000, making bank guarantee for that amount, to be paid to me in installments of \$10,000 each, as I succeeded in producing results for them in regard to eliminating revolutionary expeditions from the United States into Mexico.

I told Garcia, and the same also applies to other Carranza officials that I later came in contact with, whose names will be mentioned hereinafter, that it would be utter foolishness for me to consider such a proposition unless conditions between Mexico and the United States changed, I explaining to him I meant by that it would be necessary for Mexico to give to the United States a greater volume of cooperation.

Furthermore, gave them to understand it would be useless for me to accept their proposition unless I could produce results for them which if conditions as far as Mexico is concerned still continued to exist.

In answer to his question as to what I meant then told him it was impossible as I understood it to do anything at all with any of the Mexican revolutionary parties on the American side, unless the United States Government had the proof regarding their activities, which I knew the United States did not have. Furthermore, that I felt sure even if our Government did have such proof nothing could be done with it unless all of the authorities up and down the Mexican border felt the Mexican Government was giving to the United States Government a fair deal regarding the German situation in that country, and the same applied to the activities of the Mexican bandits and Mexican regular troops.

Then told Garcia I could not accept such employment in their Government unless it was with the complete intention on their part to enable me to secure from the Mexican Government cooperation in regard to eliminating German spies and German propaganda work up and down the Mexican border.

Garcia took this proposition very well, and said that in so much as he was inspector general of consulates he therefore had gradually replaced the different consuls on the border who were inclined to be unfriendly to the United States, therefore he felt sure with the different consuls he now had on the border, provided I could render the service I claimed to be able to do, that the Mexican Government through its consulates on the border would be very glad to give the greatest amount of cooperation.

I had the same conversation along these lines with the consul general of Mexico at Eagle Pass, also with Gen. Peraldi, who is said to be a nephew of President Carranza, also the military commander for the district of Piedras Negras, also with the Carranza consul general at New Orleans, who is said to be a relative of Carranza.

All of these parties readily saw my point, and appeared to take it very well, and said if I could secure the right kind of cooperation from the authorities up and down the border on the American side they felt sure the Mexican authorities would also give me complete cooperation in regard to eliminating German spys and propaganda work on the Mexican side of the river. This matter at the present time is still being negotiated as per telegrams shown hereinafter. Of course, you know this is Mexican bunk.

I expect to be in Washington during the week of June 3. So that I may have the opportunity of personally discussing the entire matter with you, likewise blending this proposed plan entirely along the lines your department or the Department of State may deem necessary.

Feel sure that if the plans I have in mind meet with the approval of your department and then can be successfully carried out by me, that it may probably enable me to secure a certain volume of support from the Mexican Government which in the end may be valuable in regard to improving the general situation on the border, likewise to a certain extent result in the elimination of some of the German spies and propaganda work in Mexico.

Believe that it will also result in me being in position whereby I will be able to secure a great deal of advance information regarding different matters in Mexico which in the end will be of value to the United States.

At the present time, and the same applies to the last year and a half, the revolutionary activities of the different Mexican groups in the United States has been a deep thorn in the side of the Mexican Government, and being thoroughly informed regarding the activities of all of the Mexican revolutionists in the United States, and the same applies to the situation as far as the Mexican Government is concerned, am absolutely convinced of the fact that it will be a serious mistake for the United States Government when the activities of the Mexican revolutionists are now so painful to Carranza, for the United States to do anything at all for the Mexican Government in regard to eliminating the different Mexican revolutionary groups in this country, unless the United States in turn receives some consideration and cooperation regarding the German situation in Mexico, and the same applies to the cooperation which the United States should have from Mexico on the border.

Mr. Adam Leckie has been handling to the best of his ability my part of these negotiations with the Mexican minister of foreign affairs, Secretary C. Aguillar, who is a son-in-law of Carranza. This has resulted so far in the Mexican Government making me an offer as is shown by the telegrams mentioned hereinafter of \$2,000 per month for my services.

When in San Antonio, Tex., on May 4 to 9, 1918, mentioned to Mr. Breniman, superintendent of your San Antonio division, that the Mexican Government had made me an offer to become chief of their secret service in the United States. likewise made me an offer of a large sum of cash, provided I was able to produce results for them.

My entire plans and intentions regarding the service I hope to be able to render to the United States from this proposed connection with the Mexican Government may result in a failure, due to the fact that every Mexican I have ever known promises anything in the world, but when it comes to the time of delivery their promise is not fulfilled.

However, feel that I at least have more than a fair chance to render at this time a service which if my plans and ideas even in part can be successfully carried out will result in some benefit to our Government.

My proposed proposition and plans with the Mexican Government, of course as you know, are subject entirely to the wishes and orders of your department, and my final acceptance or rejection of the Mexican Government proposition will rest entirely with the wishes or instructions of your department.

The \$40,000 is to be paid as stated hereinbefore when I produce the results agreed upon with the Mexican Government, regarding the elimination of the various Mexican revolutionary groups in this country. At the time I enter into the agreement with them regarding the \$40,000, I also at that time according to Garcia's proposition am to be paid \$10,000 in cash, this payment to be for the plans that I have regarding the different Mexican revolutionary groups now operating in this country.

The following telegrams regarding this proposition passed between Garcia and myself:

(Creese code name for Jones.)

MAY 1, 1918.

ANDRES GARCIA,
Room 58, Hotel Hamilton, Laredo, Tex.

Frezieretz yesterday and to-day said to be at San Carlos ranch. He may and then may not return to-morrow, so the consulate tells me. Shall I see the vice consul. My address here, Room 222, Hotel Eagle.

(Signed) PEDRO.

(Pedro, Mexican code name for Jones.)

NEW ORLEANS, LA.,
May 11, 1918.

ANDRES GARCIA,
Care of Mexican Consulate, Brownville, Tex.

(If necessary please forward.)

Party you mentioned did not go to Mexico. Saw him here to-day. Learned on my arrival here of some vitally important developments pertaining to the business. Expect hear from you definite on or before May 15, so I can therefore be in position to act one way or other. Regards.

(Signed) PEDRO.

(Pedro, Mexican code name for Jones.)

Confidential report by Cresce to Department of Justice re plan to capture Gen. Felipe Musquiz Castillo, Mexican border bandit.

NEW ORLEANS, LA., July 26, 1918.

As mentioned in my report of May 16, 1918, entitled "Gutierrez Brothers and Felicista revolutionary movement against the Mexican State of Coahuila," I reported at that time, in paragraphs one and two of that report, some of the activities of Felipe Musquiz Castillo.

This party is the leader of a band of Mexican bandits, who have been very actively operating from his headquarters in the Burro Mountains. Last week members of his band, supposed to have been under his active leadership, raided the Piedra Blanca ranch, and at that time captured Nat Malone, who is foreman of that ranch, which is said to be owned by W. E. Weathersbee. Malone was held by these bandits for a \$5,000 ransom.

Felipe Musquiz Castillo and his band also at that time raided the San Miguel Ranch, and captured Sam Barksdale, foreman of that ranch, which is said to be owned by Miers & Rose. Barksdale, I understand, was held for a \$800 ransom.

The dispatches state that Gen. Peraldi sent 25 mounted troops in pursuit of Felipe Musquiz Castillo, likewise that Gov. Mireles, governor of the Mexican State of Coahuila, likewise promised at that time to put a large body of troops into the field to capture Felipe Musquiz Castillo.

As far as the promises of Gen. Peraldi and Gov. Mireles are concerned, not much confidence can be put in their statements in regard to this matter, for Felipe Musquiz Castillo has been actively operating for nearly a year now, out of his headquarters in the Burro Mountains.

Felipe Musquiz Castillo, as per my previous reports at that time, was held to be responsible for the murder of the several members of the Hillcote family, an English family who lived 50 or 60 miles from the border in Mexico, and who were murdered during the early part of May. The family consisted of Hillcote, his wife, his son, and his sister-in-law. The leader of the bandit band, who murdered the Hillcote family, was Col. Chavez, an old Villa colonel. I understand that Felipe Musquiz Castillo was supposed to have been an intimate friend of the Hillcote family, and did not know that the Hillcote ranch was to be attacked by Chavez, and that when he (Castillo) learned of the murder of the Hillcote family that he and Chavez had a bitter row about it, which resulted in a split between them.

Felipe Musquiz Castillo, I understand, has visited Kerville and San Antonio, Tex., since the Hillcote murder.

I understand that he crosses the river at Langtry, and from there works his way to Kerville, Tex., where his wife resides.

My information is that at least once every month or six weeks he in this way visits his wife at Kerville, Tex.

I also understand that he constantly receives supplies, and, from time to time, ammunition from his friends and supporters at Langtry. His principal friend in Langtry is a Mexican who is a proprietor of a restaurant, whose name I have not, as yet, secured.

Believe, provided you will give me the authority to do so, at Kerville or Langtry, on the next trip of Felipe Musquiz Castillo, through Langtry on his way to Kerville, or at Kerville, I will be able to pick this Mexican up. I am in a position to secure the approximate time that he expects to make his next trip to Langtry or Kerville, and if this party can be picked up it will, in the future, save many other murders and raids up and down the border.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Col. Tirzo Gonzales, commander of the Mexican garrison at Matamoros, Mexico.

NEW ORLEANS, LA., August 15, 1918.

On August 9 I was introduced to Col. Gonzales at his military headquarters in Matamoros, Mexico, by the Mexican consul general of Brownsville, Tex., Señor Garza.

Previous to my visit to Col. Gonzales's headquarters had learned from the consul that he was supposed to have in his command approximately 250 Mexican soldiers. Learned from Col. Gonzales, however, that he has, as a matter of fact, in his military district, which extends to opposite Rio Grande City, approximately 600 Mexican soldiers.

At the time I visited Col. Gonzales's headquarters he had in the headquarters and on the street outside of same over 50 Mexican soldiers, who were armed with thirty-three carbines and rifles and with a few Mauser rifles and carbines. All of them seemed to be plentifully supplied with ammunition. Also noticed at his military headquarters five boxes of thirty-three cartridges, which had not been opened.

I had extended conversation with Col. Gonzales in regard to conditions on his side of the river, and learned from him, in answer to my questions, that there was, as a matter of fact a large number of Mexican bandits and cattle thieves apparently in his territory who regularly steal cattle on the Mexican side of the river, run it over to the United States side and also steal cattle from the American side of the river and take it over to Mexico.

Col. Gonzales claimed to be pursuing these bandits to the very best of his ability, but said it was very hard to wipe them out. He is a good listener, but a very poor talker, and it was a rather hard matter to dig any information out of him.

Learned from the American Consul Woodward at Matamoros, likewise from other American officials at Brownsville, that Col. Gonzales at times seemed to be willing to cooperate to a certain extent with the American authorities whenever the necessity for same arose. He, however, like all Mexicans, is strictly out for No. 1, and is undoubtedly, as the majority of all other Mexicans are, anti-American.

(Creese code name for Jones.)

Confidential report by Creese to Department of Justice re Alfonso Bennevendo, Mexican vice consul at Brownsville, Tex., alleged to be pro-German and suspected of Germany propaganda and spy work.

NEW ORLEANS, LA., August 19, 1918.

On the morning of August 1, when I called at the Mexican consulate in Brownsville Tex., as per my previous reports, Jose Garza, Mexican consul at Brownsville, introduced me to his Vice Consul Alfonso Bennevendo.

During the time I was in Brownsville had several conversations with Bennevendo. He speaks English, is exceedingly shrewd, well posted, and apparently is open at any time to a proposition in which there is any cash.

I learned from Mexican Consul Jose Garza that Bennevendo is unmarried and is a very liberal spender. Also learned from Consul Garza while we were at lunch at Matamoros, Mexico, and while Garza was feeling pretty good from the wine he had drank, that he did not think very much of Bennevendo, due to the fact Bennevendo was getting nearly as much money as he, the consul, was, likewise had a fine automobile and did but very little work, while on the other hand he, the consul, had all of the responsibility, did nearly all of the work and got but very little more money than the vice consul. Told Garza I found that very strange and asked him why such a condition existed and he said apparently Bennevendo had a great deal of influence with the administration at Mexico City or had strong friends around President Carranza.

The consul also said that Bennevendo was very fond of women and chased around after them a great deal and was likewise a very liberal entertainer. I then said to the consul, Bennevendo must have a considerable amount of money and he said, no, Bennevendo's family had practically no money, and I then said, Bennevendo must be a good poker player and in that way keeps in funds, and the consul said, no, he thought Bennevendo had friends in Mexico City who forwarded him money.

Also at that time learned from the consul that Bennevendo some two or three months ago went to Mexico City and when he returned to Brownsville, he did so via an automobile which he claimed to have purchased in Mexico City. I saw this car in Matamoros, driven by Bennevendo, and it is a large, heavy, and up-to-date model roadster Jordan car, painted red, and I understand with its fittings said to be worth in excess of \$2,000.

It is also alleged that Bennevendo has a brother by the name of Alberto Bennevendo, who lives in Matamoros, Mexico, across from Brownsville, who is alleged to be extremely pro-German and is said to have made many vicious remarks in regard to the United States and that he hoped and believed and wanted Germany to win the war. Also that he had been helping and proposed to help Germany in every way he possibly could.

Also understand that Bennevendo, the vice consul at Brownsville, has a sister who is the wife of a German Army officer and who is now in Germany.

Alfonso Bennevendo, the Mexican vice consul at Brownsville, was formerly secretary to Juan Burns, Mexican consul general at New York, and who I now understand is Mexican consul at Hamburg, Germany.

Roberto Bennevendo, a brother of the vice consul, likewise another one of his brothers, I understand, were educated in Germany and the entire Bennevendo family are said to be in every way and at all times straight from the shoulder pro-German.

It is likewise alleged that the father of the Bennevendo family was a German who upon his arrival in Mexico changed his name to Bennevendo and who, shortly after his arrival into Mexico, married a Mexican woman. If this information is correct in that event the Bennevendo brothers are half German.

On my next trip to Brownsville, during the early part of September, I expect to cultivate Bennevendo, with whom I became friendly, and in that way hope to be able to secure sufficient proof of his pro-German sentiments and activities, which will thereby give the State Department opportunity to ask the Government of Mexico to remove him as vice consul at Brownsville.

I also at that time will be able to suggest to the Mexican ambassador at Washington, which I will be able to do on account of my connection with the Mexican Government, that on account of the feeling at Brownsville and in that territory regarding Bennevendo it would be policy to secure a complete cooperation from the various officials in that territory in regard to helping to eliminate and prosecute Mexican revolutionists to remove Bennevendo as his vice consul at Brownsville.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Mexican conditions at and around Bonillas.

NEW ORLEANS, LA., August 17, 1918.

Understand that Juan Sada and Van Kaufman have a store at Boquillas and have been during the last several months disposing of an unusually large quantity of miscellaneous goods, which according to my informant must evidently go into Mexico, as there is very few people on this side of the border who, I understand, would purchase such large quantities of goods as these two parties have been buying.

Juan Sada, I understand, recently skipped out of the United States and has gone into Mexico on account of being implicated in smuggling goods from the United States into Mexico which were prohibited by the War Trade Bureau.

Would respectfully recommend that Sada and Kaufman be checked up by the proper officials and that they be made to show what has become of the alleged large quantities of goods which they have purchased during the last several months.

Monroe Payne, a negro renegade, has a ranch near Boquillas and is one of the most noted smugglers on that part of the border. Payne is likewise said to be at the head of a bunch of Mexican bandits who are operating in that territory and who have made a constant practice of stealing cattle from the American side of the river and running them over into Mexico.

Benino Menchaca, who is originally from Musquiz, Mexico, but is now at the Boquillas del Carmen mine, in Mexico, which is about 8 miles from the border, is the revolutionary representative in that territory and is in constant communication with Pablo de la Garza, of Eagle Pass.

Menchaca told my informant that their plans were now complete in regard to starting their revolutionary movement, and that during September they expected to be able to throw all of that part of the border into a general uproar, which would cause Carranza a world of trouble and likewise show the United States that the revolutionists were the only ones who should receive the support of the United States to accomplish anything in Mexico.

Menchaca also told my informant that they had a liberal supply of guns, horses, and saddles, but at this moment they were short of ammunition. However, expected at an early date to secure an ample supply of same.

Due to the recent arrest, likewise the searching of many of the Mexicans at Del Rio, Eagle Pass, and other places on the border by the military authorities, this has resulted in the Mexican revolutionists becoming very careful in regard to what they say they are going to do.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Col. Tomos Pinarro, a Mexican at Laredo, Tex.

NEW ORLEANS, LA., August 17, 1918.

Col. Tomos Pinarro has resided in Laredo, Tex., to my knowledge since December, 1917, at the Hotel Bender in that city. He is an official connected with the Mexican railway system which ends at Nuevo Laredo, Mexico, across the river from Laredo, Tex.

Pinarro has apparently always been exceedingly pro-American in his sentiments and statements, although he is on the most friendly terms with another

Mexican who resides at the Bender Hotel at Laredo whose name is Villavicencio, and whose activities have been fully covered in my previous reports.

Villavicencio is supposed to be pro-German, likewise implicated in German propaganda and spy work.

Pinarro recently was a candidate for the Mexican congress or senate from the Mexican State of Durango and at the Mexican election in that state, which was held in July, 1916, Pinarro claims to have been elected. He also made the statement to A. M. Leckie at Laredo, Tex., on August 3, 1918, that he was afraid Carranza would cut him out in the elections, this being due to the fact that he (Pinarro) was a very warm personal friend and supporter of Pablo Gonzales who is to be one of the Mexican presidential candidates in the Mexican elections during September, 1920.

Pinarro then told Leckie, apparently it was the policy of Carranza to eliminate all congressmen and senators who were now being elected and who were in favor of Pablo Gonzales or Gen. Obregon this being due to the fact that Carranza by not having any congressmen or senators at the Capitol of Mexico who were friendly to anybody but himself, to in that way endeavor to work some scheme to succeed himself.

Pinarro then told Leckie that if Carranza endeavored to cut him out, in that event he (Pinarro) would personally start a revolutionary movement against Carranza in the state of Durango.

Pinarro is exceedingly shrewd, talks very freely, and is in every way very active. He is about 5 feet 7 inches in height, dark olive complexion, black hair with but very little gray in it, brown eyes, very neat dresser, and wears a mustache which is extremely noticeable on account of it being turned up so it is typically a German Army officer's mustache. He speaks English and seems to have a good many friends among Americans.

Also understand that Pinarro is endeavoring to assist Eractuasa C. Gonzalez, a money broker who lives at Laredo and who is trying to import \$400,000 or \$500,000 worth of silver from Mexico into the United States and secure gold in return for same. Pinarro has been very active in regard to assisting Gonzalez along these lines.

While in Laredo during May, 1918, constantly saw Pinarro and Villavicencio at the Bender Hotel together; likewise again saw them at San Antonio, Tex.

On letterhead of the St. Anthony Hotel Mr. Leckie gave me letter of introduction, dated August 6, 1918, to Pinarro as follows:

AUGUST 6, 1918.

MR. TOMOS PINARRO,
Bender Hotel, Laredo, Tex.

MY DEAR PINARRO: This will introduce to you Mr. Charles E. Jones, of New Orleans, who is a thoroughly live wire, interested in the purchase of some cattle in Mexico, and in all probability he will have to arrange for getting accommodations on the railroad for shipping them to the border and I have told him that you would be the ideal man to aid him in this work, and I will appreciate it very much if you will render him such assistance as may be in your power.

The first opportunity you have please be good enough to write me at 817 Southern Building, Washington, D. C.

Very cordially, your friend,

ADAM LECKIE.

When I reach Laredo during the latter part of August I expect to cultivate Pinarro and hope to be able to secure considerable information from him which may be of value.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re American Consul G. C. Woodward at Matamoros, Mexico.

NEW ORLEANS, LA., August 19, 1918.

While in Brownsville, Tex., on July 31, August 1 and 2 I had the opportunity of meeting Consul Woodward several times.

Learned in Brownsville, Tex., and at Matamoros, Mexico, that Consul Woodward for the last several months has received several anonymous letters containing threats, likewise these letters expressed the contempt and hatred of

the Mexican people for Consul Woodward, also for America and Americans. I also understand several of these letters stated Consul Woodward would be assassinated.

In checking up this matter feel sure these letters have originated from German or German sympathizers, whose activities Consul Woodward has interfered with. It is also possible these letters may likewise have originated from Mexicans, who Consul Woodward has refused passports to on account of their smuggling activities or on account of being pro-German.

Understand Consul Woodward lives at Matamoros, Mexico, with his family and that due to the cutting of telephone connections between Matamoros and Brownsville, the consul is therefore entirely cut off from any connection with Brownsville provided any emergency may arise at his consulate.

Would respectfully recommend that the Mexican Government be officially advised as to these threats and anonymous letters which Consul Woodward has received through the Mexican mails, and that the Mexican Government be also officially requested to see that Consul Woodward and his family at all times have the necessary protection.

Due to my connection with the Mexican Government as mentioned in my previous reports, I have likewise stated to them that it is good policy on the part of the Mexican Government to see that any party or parties who are implicated in sending threatening letters to Consul Woodward be apprehended and prosecuted. I did not have time when I was in Matamoros to run this matter down, but propose on my next visit to the Brownsville territory during the early part of September, to spend several days in and around Matamoros and in that way may be able to uncover the originators of these letters and if so, believe I will then be able to have the Mexican Government prosecute these parties.

Due to Consul Woodward's activities in fully and at all times protecting the interest of the United States and its citizens at his post, he has therefore created ill-feeling of the majority of the Mexicans in Matamoros and at Brownsville. This also applies, I understand, to many Americans, who for the sake of a few dollars believe Consul Woodward should allow suspected German sympathizers and likewise a large number of Mexicans to come and go into Brownsville from Mexico at their pleasure.

It is likewise alleged by many of the business men, so I was told at Brownsville, that they thought Consul Woodward was apparently too anxious at all times to prohibit the issuing of passports, and that formerly approximately 80,000 Mexicans from Matamoros and surrounding territory visited Brownsville each month prior to the time Consul Woodward had practically put regulations into effect which to a very great extent eliminates Mexicans from entering Brownsville from Matamoros and vicinity.

As far as that complaint is concerned, if every American consul on the border attempted to perform his duties as well as Consul Woodward apparently has done, then in that event there would be less smuggling activities and German propaganda and spy work on the border.

From every available source of information secured by me, am convinced of the fact that Consul Woodward is in every way and at all times more fully complying with his duties, than even the State Department expects of him, and that he is, without doubt, one of the hardest working, most practical and successful American consuls that we have ever had on the border. Believe he has and will at all times to the best of his ability cooperate with every department of the United States Government in his territory.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Mexican Consul Cosme Bengoechea at Presidio, Tex.

NEW ORLEANS, LA., August 20, 1918.

Understand that the Mexican consul at Presidio, Tex., Cosme Bengoechea, has had installed for some time a private telephone wire running from Presidio, Tex., across the river to Ojinaga, Mexico. It is also alleged that this telephone wire has repeatedly been used to the detriment of the United States.

Respectfully recommend that this matter be checked up and if this telephone wire in reality does exist, that it should be immediately cut.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re E. Schreck, Mexican consul at Port Arthur, Tex., alleged to be of German extraction and suspected of German activities and sentiments.

NEW ORLEANS, LA., August 24, 1918.

Prior to my visit to Brownsville on August 5, 6, and 7, I had heard from other parts of the border that the Mexican consul at Port Arthur, Tex., was either a German or of German extraction, likewise had a large number of relatives who were said to be exceedingly pro-German living at Matamoros, Mexico.

When I was in Matamoros, Mexico, on August 9, with Jose Garza, Mexican consul at Brownsville, Tex., also with other Mexican officials of Matamoros, we visited the saloon operated by the Schreck family at a Matamoros, and at that time was introduced to one of the Schreck boys, who is typically German in appearance.

According to Consul Garza, the Schreck boys, of which there are several at Matamoros, while of German extraction, nevertheless, so he claimed, have never been proven to be pro-German. As a matter of fact, A. Schreck, a brother of the Mexican consul at Port Arthur, Tex., who is operating a saloon and restaurant at Matamoros, Mexico, across from Brownsville, Tex., is known to be very pro-German, and it is also said his saloon is the headquarters for all of the Germans in and around Matamoros.

Also understood while in Matamoros that American Consul Woodward had taken up the Mexican passports of all of the Schreck family, thereby stopping them from visiting Brownsville, Tex. This has resulted in a great deal of ill feeling being caused at Matamoros, Mexico, from the Schreck family, their friends and associates in that territory. It also may be possible that the Schreck family or their friends may have been implicated in sending, or causing to be sent, the several threatening anonymous letters which Consul Woodward has received, as mentioned in my previous reports.

Understand that the grandfather of the four Schreck boys was a German, and after arrival in Mexico married a Mexican woman.

Due to the short time I was in and around Matamoros did not have sufficient time to make a careful investigation of this matter; however, on my next trip to Matamoros during the early part of September, will carefully check these matters up.

Due to my connection with the Mexican Government, as mentioned in my previous reports, I expect to suggest to the Mexican ambassador at Washington, also to Andres Garcia, inspector general of Mexican consulates, that it is a mistake to have Schreck, their consul at Port Arthur, continue in his office, because of his German extraction, and his family at Matamoros, Mexico, who are alleged to be exceedingly pro-German; therefore, for the reasons mentioned, their consul at Port Arthur, to a very certain extent, is offensive to the people in that part of Texas, which does not enable him to give to Mexico successful representation at Port Arthur. This may be productive of results, and I hope in this way to cause the removal of Schreck, as Mexican consul, from Port Arthur.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Chico Cano, Villista bandit visiting United States Army Camp at Cadelario.

NEW ORLEANS, LA., August 20, 1918.

Understand that Chico Cano, a noted member of the Villista Mexican revolutionary factor and likewise one of the best known and most successful Mexican bandits, and who is said to have been one of the leaders in the Bright ranch raid sometime ago, is now said to be located in Mexico across the river from Cadelario.

On or about August 5 to 12 Cano crossed the river and visited the United States military camp at Cadelario and talked to the United States military officer in command at that camp.

If my information regarding this visit is correct, the United States Army officer should have detained Cano, for it is well known in that territory that he has been an active participant in several raids out of Mexico against ranches on the American side of the river.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Mexican Government opening up 17 new consulates in South and Central America, likewise Mexican Government making arrangements to change many of their present consuls and other matters regarding their foreign policy.

NEW ORLEANS, LA., September 3, 1918.

On the afternoon of August 30, Mexican consul general at New Orleans, La., Rafael E. Mugquiz, told me that Mr. Cabrera, Mexican minister of finance, would arrive in New Orleans on the evening of September 2 or the morning of September 3 and that he wanted to introduce me at that time to Mr. Cabrera. Hope to be able to secure some information that may be of value from Mr. Cabrera when I meet him. Mr. Cabrera has not yet arrived in New Orleans.

The Mexican consul also told me the Mexican Government was now making arrangements to open up 17 new consulates at various cities in South and Central America and that from now on the foreign policy of Mexico was to be in every way more aggressive. I asked him what he meant by being more aggressive, and he said President Carranza and his cabinet expected by opening up new Mexican consulates in South and Central America, to in this way place Mexico from a diplomatic standpoint on the level with any other country no matter how large it may be and he further said this was only the beginning and that within the next 12 months Mexico would open up a much larger number of new consulates throughout the world.

I of course expressed to him my enthusiasm in regard to such a plan, and then learned from him that Mexico hopes to create for herself a position diplomatically in South and Central America, whereby she in this way intends to try and become a strong factor in South and Central America in regard to creating friendship for herself and her policies throughout that country.

The consul general then told me he was just in receipt of a confidential letter from an official in the Mexican foreign office telling him that there was to be a big shake up in the Mexican consulate force throughout the United States. He also stated that he had received official notification to the effect that he was not to remain as consul general at New Orleans, and expected within a few weeks to leave for Mexico.

I asked the consul general who his successor would be and he stated the present vice consul would, as he understood it, succeed him as consul general at New Orleans.

The consul general also stated that the Mexican policies in regard to their foreign relations with other countries from now on would become more aggressive and in that way they hoped and believed that Mexico very shortly would begin to stand as she ought to, as far as other countries are concerned.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re President Carranza's close personal and political adviser, who is exceedingly pro-German.

NEW ORLEANS, LA., September 4, 1918.

When I met Leckie in San Antonio, Tex., between August 3 and 6, he at that time told me that Carranza's closest personal and political adviser was the present Mexican minister of interior. Leckie also said that Carranza had more confidence in this party, paid more attention to what he said than he did to anybody else.

Leckie then said the Mexican minister of interior was noted as being one of the most active pro-German sympathizers in Mexico and that Leckie likewise knew him to be exceedingly anti-American.

Leckie is of the opinion, as mentioned my previous reports rendered in 1917 and 1918, that the majority of the higher Mexican Army officials are still in the pay of the German ambassador to Mexico and that Germany will continue to feed the majority of the ranking Mexican officials money until Germany no longer needs them. Leckie, however, seems to believe it is a debatable question as to whether or not Carranza himself has been bought by Germany or has taken any German money.

It is well to remember, however, that it would be a miracle of God alone if there was any German money loose in Mexico that Carranza has never in that event taken any of it. If he has not, he in no way, then, is a typical Mexican, for all of them, irrespective of who they are, will take anybody's money and their great national game is trimming an American.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re participation of Mexican Government in smuggling narcotics out of Mexico into United States, and ammunition from the United States into Mexico, via Mexican mail coaches and in Mexican mail bags.

NEW ORLEANS, LA., *September 24, 1918.*

Through one of my informants on the border who lives at ———, ———, namely, ———, understand from him that the Mexican Government is alleged to actively be participating through its officials at Piedras Negras, Mexico, and with the knowledge, consent, and assistance of the Mexican consul general at Eagle Pass, in smuggling opium and other narcotics out of Mexico and ammunition, pistols, and other firearms out of the United States into Mexico by a system alleged to have been successfully conducted by them for some time, which is as follows:

My informant tells me that the Mexican Government mail coaches which carry the mail from Piedras Negras, Mexico, to Eagle Pass, Tex., and then return from Eagle Pass to Piedras Negras via the international bridge across the Rio Grande River, contain mail pouches which, when they leave Piedras Negras, Mexico, are brought over to the United States. These mail sacks presumably contain mail, and when the mail coaches come across the bridge into Piedras Negras again instead of going direct to the post office and unloading the Mexican mail, that the mail coaches are very frequently seen driving around to various Mexican stores.

My informant also states that after the Mexican mail coach receives the Mexican mails at the post office in Eagle Pass, that instead of going direct to the international bridge the mail coach drives around to various Mexican stores and, presumably, from some of these stores arms and ammunition are secured, which is brought in the mail sacks and carried across to Piedras Negras, Mexico.

The mail coaches, as stated, are never searched by the United States guards on the international bridge and, if such is the case, it is certainly a very simple matter for those involved to smuggle into the United States or out of the United States into Mexico whatever they may so desire to use.

Would respectfully recommend that hereafter the Mexican mail coaches or any other method of transportation used by Mexicans coming into the United States be carefully searched; likewise, that when such outfits cross into Mexico at Eagle Pass that they also be searched.

(Cresse code name for Jones.)

Continuation confidential report by Cresse to Department of Justice re presidential candidates in the next Mexican presidential elections and the serious Mexican situation which will arise from same at that time.

NEW ORLEANS, LA., *November 14, 1918.*

My report of July 16, 1918, under the heading mentioned above fully covers the situation at that time, also to a very great extent at the present time regarding the serious difficulties which are rapidly approaching a climax, which is being caused by jealousy between the various candidates for the Presidency of Mexico in the next Mexican presidential elections, which I understood are to be held in Mexico during July, 1920.

As stated in my report of July 16, 1918, I fully covered at that time, on pages 2, 3, and 4 the various combinations that Gen. D. Aldaro Obregon has arranged in regard to securing support for himself in the next Mexican presidential elections.

When I was in El Paso, Tex., on October 4 and 5, also on October 24, 1918, I had several extended conversations with Andres Garcia, inspector general of Mexican consulates and consul general of Mexico at El Paso. Garcia is strictly an Obregon man, and likewise said that the majority of the present Carranza officials were either avowed supporters of Obregon or favored him.

Garcia further stated that fully 75 per cent of the present Mexican Army, and practically all of the veterans who had served under Obregon, many of whom were now scattered from one end of Mexico to the other as civilians, were strictly Obregon men and would rise at his call. Garcia also said that Gen. Obregon had and would control practically all of the Yaqui Indians.

Garcia, in answer to my questions regarding Pablo Gonzales, said that he was an utter impossibility as a presidential candidate and could never be

elected President of Mexico. This also applies to Gen. Alvarado, ex-governor of Yucatan.

Garcia was inclined to be rather guarded in his statements about the alleged break, or difference of opinion, which is said to have occurred between President Carranza and Obregon, likewise regarding the fact that President Carranza had planned and was intending to do all he could, officially and otherwise, to place some other man in as President of Mexico. I finally wormed out of Garcia the admission that there had been some difference of opinion between Carranza and Obregon, and that Obregon intended to be the winning candidate in the next Mexican presidential elections, irrespective of whether he had the support and friendship of Carranza.

Also learned from Garcia at that time, which I later confirmed from other sources, that Gen. Obregon has and is perfecting his political and military machine, whereby he proposes to make a strong effort to become President of Mexico either via being elected or by the revolutionary route.

Obregon, at the present time, I understand, is making arrangements to establish Obregon juntas in Los Angeles, El Paso, San Antonio, and at practically all other points containing a large Mexican population along the border. His plans, I also understand, will result in him establishing at San Antonio or El Paso, Tex., a weekly newspaper, which will be published in his interests.

When I was in El Paso, Tex., on October 4 and 5, 1918, at that time Andres Garcia gave me a letter of introduction to Gen. Obregon, who was then at Nogales, Ariz., or across in Mexico from that town. I expected to see Gen. Obregon on my return from California, but was unable to do so on account of the fact that I was called to New York due to the serious sickness of my brother.

I am convinced of the fact from the constant and careful observations I have had the opportunity to make during the last year that Obregon will win in the next Mexican presidential elections, and if he is counted out, or the election is stolen from him, he will immediately start the most thoroughly organized and strongest revolutionary movement that Mexico has yet seen.

Fel sure of the fact that one way or the other Obregon, irrespective of any difficulties that may be placed in his way, will succeed Carranza. Furthermore, if Carranza resigns, or is forced out, or is assassinated before the next Mexican elections, Obregon will immediately start his fight to succeed him. Therefore if I can work my way in with Obregon and by chance secure the opportunity to privately or publicly represent his interest or campaign in the United States, I will in that way be able to probably render service that no one else can.

As mentioned in my report of July 16, 1918, Obregon had prior to his visit to the United States last year, been inclined to be exceedingly pro-German in his sentiments and statements. However, after he returned to Mexico, it is said of him, that his sentiments were completely changed, due to the fact that he fully realized it might be necessary for him, when he becomes a presidential candidate, to have the friendship of the United States.

As far as Obregon personally is concerned, he, as all other Mexicans, at heart is absolutely anti-American and but very little belief as to his responsibility or friendship for the United States could be placed in him, than in any other Mexican. However, if I can succeed in winning his confidence and direct, to a certain extent, his activities throughout the United States, I may be able to shape his ideas and opinions to a certain degree that might be friendly and favorable to the United States. If I could succeed in doing this, the service I could thereby render, would be well worth while.

My report of September 26, 1918, under the heading of "Confidential report re break alleged to have occurred between Carranza and Gen. Obregon," will give you considerable information regarding the alleged difficulties which have arisen between Carranza and Obregon.

I will undoubtedly hear from Garcia in answer to my letter mentioned hereinbefore, and if he accepts the suggestion made by me in regard to personally seeing Gen. Obregon, in that event, unless otherwise so instructed by you, will proceed to El Paso and there endeavor to have Garcia accompany me to Nogales to personally discuss the matters outlined in my letter to Garcia of November 13 with Gen. Obregon.

(Cress code name for Jones.)

(For the information of the committee: This report, which was one of several, shows that as far back as 1918 the United States was warned in my reports of the present Mexican revolution.)

Confidential report by Cresse to Department of Justice re participation of Col. Estaban Cantu, Mexican governor of Lower California in Mexican revolution activities.

NEW ORLEANS, LA., Sept. 4, 1918.

As mentioned in my previous reports, F. R. Betancourt, Mexican revolutionary leader, according to positive information which I have secured, and likewise forwarded in previous reports to your Department, has been on very close and intimate terms and in constant correspondence with Col. Estaban Cantu, governor of Lower California.

Betancourt, George Warden, and Ignacia Pelaez have also several times told Godchaux that Governor Cantu had given them financial assistance.

During April and May, 1918, while Godchaux and myself were in San Antonio, I reported at that time through information secured by Godchaux that Ignacia Pelaez, who is the brother and active agent in the United States for Gen. Manuel Pelaez, George Warden, Betancourt, Garcia Naranjo, and other prominent leaders of the Mexican revolutionary group in the United States were on friendly and intimate terms and in constant correspondence with Jose Cantu, of Mexico City, who is a brother of Estaban Cantu, governor of Lower California.

Betancourt and Ignacia Pelaez told Godchaux that Governor Cantu had agreed to help the revolutionary leaders associated with Betancourt and particularly those Mexican revolutionary leaders in Sonora.

At my suggestion Godchaux asked Betancourt and Pelaez what was the reason of Cantu giving his cooperation to himself (Betancourt) and the other Mexican revolutionary leaders, likewise in regard to assisting the Mexican revolutionary movement in the State of Sonora. Betancourt's answer was that in this way Carranza who really wanted and hoped to be able to do so never could operate, if he decided to do so, an expedition out of the Mexican State of Sonora against Governor Cantu of Lower California.

Betancourt also stated that Cantu for the last year and a half had been making practice of financially backing the different Sonora revolutionary parties for the reasons mentioned.

From correspondence that Godchaux has seen to and from Jose Cantu, and Governor Estaban Cantu addressed to Betancourt I feel sure of the fact, as mentioned in my previous reports that the Mexican revolutionists have and are still receiving assistance and cooperation from Governor Cantu.

Continuation confidential report by Cresse to Department of Justice September 4, 1918. Re participation Col. Estaban Cantu, Mexican governor of Lower California, with various Mexican revolutionary leaders, likewise plans of the revolutionists to secure complete cooperation of Gov. Cantu.

NEW ORLEANS, LA., September 27, 1918.

As mentioned in my previous reports Col. Estaban Cantu, Mexican governor of Lower California, for the last 8 or 12 months has been actively cooperating with all of the various Mexican revolutionary leaders. For full details regarding this matter refer you to my report of August 28, 1918, entitled:

"Trip of F. R. Betancourt, Mexican revolutionary leader, of New Orleans, to Mexicula, Mexico, where he is to arrange plans with Gov. Estaban Cantu to smuggle arms and ammunition out of the United States to Mexican revolutionists in Sonora. Likewise pertaining to alleged participation and activities of Gov. Cantu with Mexican revolutionists."

During November, December, 1916, and also during the early part of January, 1917, Miguel Tarriba, care of F. C. Brauet Co., Welsh Building, 244 California Street, San Francisco, Calif., had several conferences with Col. Estaban Cantu and his representatives in regard to securing the support of Cantu for the Felicista revolutionary movement in the Mexican State of Sonora.

When Alfonso Hoyola, of 35 Kennedy Street, Tucson, Ariz., got into trouble at New Orleans during May, 1917, at that time helped him out and incidentally secured from him many important papers and documents pertaining to the revolutionary movement in the Mexican State of Lower California.

This also applies to Ignacio Pesquiera, of 629 North Seventh Avenue, Tucson, Ariz., who was also in trouble at New Orleans. From Pesquiera and Hoyola I secured many papers, likewise a great of information, all of which was forwarded at that time in reports to your department.

Learned from them at that time that Gov. Cantu, of Lower California, acting through Miguel Tarriba, care of F. G. Brauet Co., Welsh Building, 244 California Street, San Francisco, Calif., had cooperated with the revolutionary party in Sonora.

Pesquiera's and Noyola's statements regarding Cantu's participation in their revolutionary movement in Sonora was that Cantu wanted to control the State of Sonora, so that in this way Carranza would never have the opportunity to send troops from the Sonora coast over the Gulf of California against him (Cantu) in Lower California.

The revolutionary leaders in Sonora at that time dissipated all of the money raised for their movement. Also several of their leaders about that time were arrested and prosecuted in the United States courts.

During March, 1917, Miguel Tarriba wrote a 12-page letter to Gen. Felix Diaz reviewing the entire revolutionary movement and other matters pertaining to same. This letter was taken by Noyola and Pesquiera to Guatemala to be forwarded by them from there to Gen. Felix Diaz. They, however, failed to get it through to Gen. Diaz, and when they returned to New Orleans the letter fell into my possession. That part of his letter to Gen. Diaz referring to Cantu is as follows:

* * * * *

"CONFERENCIA CANTU:

"Vd. recordars, Senor, Terriba sometio a su consideracion un proyecto para apoderarse en su nombre de la Baja California; todo marchaba bien y sin autorizacion no acuerdo de Don Miguel para decirselo a Vd. de su pecullo personal estubo expensando los gastos hast llegar las cosas a su madurez, y es equi donde no teniendo el ya elementos propios tuvo que atenerse a las ofertas de Nueva York; estas desgraciadamente no fueron compidas y sobrevino la delacion de estos asuntos por una de los conjurados, y naturalmente la parision de la mayoria d los Jefes y oficiales que mandaban las fuerzas de Cantu.

"Bajo este estado de animo de este Sr. para nosotros no es posible contar con su ayuda de una manera frances; pero su instinto natural de conservacion le indica la conveniencia de pro tegar la proteger la rebellion en Sonora. Ocultandole por necesidad la amistad que me liga al Sr. Tarriba y garantia dondole expresa de no atentar contra la estabilidad de su gobierno, obtuve de el una conferacia en virtud de la cual estoy segurode que nos prestara su ayuda, a facilitandonos aramento, municiones y dinero y permitiundo que nos organicemos den tro de su territorio, sin astentacione si ni imprudencias que le compromentan; pero hay que tartar con el con plena autorizacion de Vd. pues naturalmente pretende la consolidacion futura de sus actos, si nosotros llegamos a un exito, y en cao contrario no verse arroydao por nuestros fracasos Este Vd. seguro de que si llegamos a un entendimiento en este punto, la conquista de Sonora sera un hecho, pues la Baja California es un punto verdaderamente estrategico donde puede organizarse un verdadero ejercito, y el tiene elementos en abundancia para ayudarnos. Para llegar al fin de que me permito hablarle, seria indispensable que Vd. me acreditara ante el como su enviado para obtener de us parte su ayuda. Esta autorizacion deberia ser de caracter politico y en este orden lo suficientemente amplia para que el, sin retimencias, formulara sus proposiciones, las cuales para su aceptacion deberian estar sujetas a la apro-tacion de Vd. El manejo de los fondos que en tal virtud proporcionara quedaria bajo el controll de los hombres de capital que al acuerdo con nosotros en Sonora estan obrando y obran en el futuro, lamentando no poder indicar a Vd. a Don Miguel en este caso por el antecedente y expresado; pero podia Vd. expedir un nombramiento a tal efecto en favor del Ignacio Pesquiera a quien su patrimonio personal pone fuera de sospechas Es conveniente en mi homilde concepto y salvo sumejor parecer, que el nombramiento que Vd. haga enmi favor y en el cual me autorice para tratar las bases politicas hajo bajo las cuales el Sr. Cantu preste su apovo al felicismo, se haga notar que enmanera alguna tales arreglos podran ser del dominio del ningun comitte directivo o politico signifi-cado que pudiera usar de este secreto. Digo a Vd. esto proque asi me lo indico muy claramente."

* * * * *

NOTE.—Copy of the entire letter of Tarriba to Gen. Diaz was forwarded by me at that time in my reports to your department.

Likewise, as mentioned in my previous reports, Los Angeles, Calif., apparently is now rapidly becoming the headquarters of all of the various promi-

nent leaders of each of the Mexican revolutionary parties in the United States and Mexico.

Betancourt is already on his way to Los Angeles, to make his home, so he claims, in that city; Narno Dorbecker told Godchaux that he expected to be in Los Angeles, Calif., within the next month or six weeks; Gen. S. R. Gral Don Francisco de P. Alvarez, has also stated he will be in Los Angeles within the next 60 days, and thereafter will make Los Angeles his headquarters.

Betancourt also told Godchaux that from now on Gov. Estaban Cantu, who has for the last year been carefully arranging his plans along these lines, will in the future, in a quiet and confidential manner, be the real directing head of the entire revolutionary movement throughout Mexico and the United States.

A great many of the strong, well-known, active, and popular leaders and supporters of the Felicista revolutionary movement in Texas, Arizona, New Mexico, and California during the last several months have been seduced away from the Felicista party by Betancourt, Gen. Alvarez, and other active supporters of Gov. Cantu.

Betancourt also told Godchaux that Gen. Juan Almazan, the Mexican revolutionary leader in the State of Tamaulipas, with all of his officers, soldiers, supporters, and friends throughout that part of Mexico, are pledged to cooperate with Gen. Pelaez and Cantu.

This also applies to the forces of Gen. J. Andreu Almazan, Gen. Caballero, Gen. Zaragosa, and all other Mexican revolutionary leaders in Tamaulipas, Coahuila, and other Mexican border States, all of whom have received assistance during the last year from Gen. Manuel Pelaez.

Betancourt also claims that many of the strong Villista revolutionary leaders have likewise pledged their support to the Cantu-Pelaez combination.

Betancourt also claims that the Gutierrez brothers' revolutionary combination as mentioned in my confidential report of August 12, 1918, entitled "The Gutierrez brothers and Felicista revolutionary combination against the Mexican State of Coahuila," have likewise pledged the support of all members of their party to the Cantu-Pelaez movement.

Continuation confidential report by Cresce to Department of Justice of September 4, 1918, re participation of Col. Estaban Cantu, Mexican governor of Lower California, in Mexican revolutionary activities, and his connection with Pablo Dato, sr., alien enemy and real power and brains behind Cantu.

NEW ORLEANS, LA., *October 23, 1918.*

As mentioned in my previous reports, Godchaux, through F. R. Betancourt and E. Calzado, had made arrangements with these parties to meet Gov. Cantu, and negotiate with him for the purchase of military arms and ammunition.

Godchaux and Calzado, on October 18, arrived at Mexicali, Mex., from Los Angeles, Calif. Upon their arrival at 10.30 a. m., Godchaux was introduced to Jacinto Barrera, secretary of state for Lower California, whose office is an anteroom of Gov. Cantu, and a few moments later Calzado and Godchaux were taken into Gov. Cantu's office, where they saw Ramon Guerrero, private secretary of Gov. Cantu, who Godchaux had previously met on his first visit to Mexicali, with Betancourt. Godchaux was then introduced to Gov. Cantu by Barrera.

After a conference of about two hours Gov. Cantu, who was very much interested during that time in the arms and ammunition proposition told Godchaux that he could use 10,000,000 7-mm. cartridges, also 1,500 rifles or carbines, and from 15 to 25 automatic rapid-fire guns. Cantu during this conversation told Godchaux that he intended to head the largest Mexican revolutionary movement Mexico ever had, and that he had gradually been perfecting his plans for the last year along these lines, and through his combination with Manuel Pelaez in the south, Villa in the center of Mexico, and with a complete perfected organization along the border, when he, Cantu, started his movement, that he would sweep everything from one end of the border to the other and then on into Mexico.

Cantu gave Godchaux to understand that he had positive assurances through his intimate friends and associates, who were powerful American business men,

that the United States State Department would favor him; likewise the same parties had told him the United States secret service people would close their eyes and not interfere with the revolutionary activities of his associates and himself. In a very proud manner he at that moment, as an illustration of his power with the United States officials, said, "Why they even have allowed me many times to secure arms and ammunition out of the United States."

Godchaux then asked how he expected to get such a large quantity of arms and ammunition into Mexico, and Cantu said, "I want this equipment in carload lots; and inasmuch as I know the United States guards at Calexico and they will do anything in the world for me, and also I am not going to be interfered with by the United States authorities, therefore those carload lots of equipment could be shipped to me through Calexico into my territory in Mexico, chaux that he could use 10,000,000 7-mm. cartridges, also 1,500 rifles or carbines, and from 15 to 25 automatic rapid-fire guns. Cantu during this conversation told Godchaux that he intended to head the largest Mexican towns across from the American towns mentioned our revolutionary leaders in those localities will at the same time be prepared to seize these towns."

Godchaux spent considerable of his time while in Calexico and Mexicali with Barrera, Guerrero, and one of Dato's boys, also had lunch and dinner with these parties.

On the afternoon of October 18, Godchaux, Calzado, Guerrero, and another Mexican by the name of Antonlo Elosue went riding in a seven-passenger Packard auto, driven by the youngest son of Pablo Dato. They drove out to a cotton plantation owned by the Dato family about 5 miles from Mexicali, in Mexico. This cotton plantation follows a little canal or water ditch close to the international dividing line between California and Mexico. This ditch or canal was shown to Godchaux as they passed where Calzado said he and other friends of Cantu had several times during the last year sent over the border quantities of ammunition for Cantu.

Calzado, while talking to Godchaux on the train en route to Calexico, also when returning to Los Angeles, said that Cantu had the United States officials hypnotized into believing that Cantu was willing to do everything he possibly could to cooperate with the United States. Godchaux asked him how Cantu had worked it, and Calzado said the United States believes that all they have to do is to ask Cantu for any slacker or deserter or German spy in his territory and that whatever party the United States wanted or asked Cantu for would then immediately be sent up to the American border and turned over to the United States.

Calzado then boastfully and in a laughing manner further said, "Yes, Cantu is a very wise one, and the only ones he ever kicked out of Lower California back into the United States that the authorities on this side of the river wanted were a few bums that could never be of any use to Cantu."

While Godchaux was in Mexicali, Mexico, and Calexico, also while on the train from Calexico to Los Angeles, Calif., he learned from Calzado and Jacinto Barrera, secretary of state for Lower California, and from Ramon Guerrero, private secretary of Cantu, likewise from information obtained from Betancourt and Martin de Leon, which shows from all of these available sources of information that all of them, likewise Cantu's other friends and followers consider him to be personally a nice fellow, but they admit or state that he has been made entirely by his father-in-law, Pablo Dato, sr., likewise that Pablo Dato, sr., has been and always will be the brains and executive leader behind Cantu, furthermore, that every move irrespective of its importance or not that Cantu makes, same is fully discussed, agreed upon, or planned by Pablo Dato, sr., and that if Dato does not approve such plan or movement then in that event Cantu drops same. It is also the consensus of opinion among the parties mentioned hereinbefore that to get anything out of Cantu it is first necessary to win over Dato to their side.

Calzado, Betancourt, and De Leon, due to leading questions suggested by me, and skillfully put to these parties by Godchaux, regarding Dato, secured information from these parties that Dato and all of his family have always been exceedingly pro-German, likewise have been the actual heads of all real German propaganda and spy work that has been conducted on that part of the border before and since the United States entered the war.

Such being the case as will be shown hereinafter, furthermore on account of the fact that Cantu and all of his officials and supporters have always been fully aware of the fact that Dato is a German alien enemy, and very active in his efforts for Germany, in that territory, therefore no other conclusion can be

drawn but that all of the activities of Dato and his many German associates in Gov. Cantu's territory (Lower California), has been at all times done with the knowledge, consent, approval, and undoubtedly with the assistance of Cantu and his associates.

Pablo Dato, sr., is known to be a German alien enemy, and if necessary can furnish your department positive proof to that effect. He was born in Grossner, Germany, June 11, 1840. On December 18, 1865, he was appointed acting German consul in Paris, France. On May 30, 1868, he was notified that his Majesty the Prussian King, had conferred on him the Imperial Order of the Crown of the fourth class. On August 9, 1897, Dato registered with the German consul at Guaymas, Mexico, and again on August 25, 1897, Dato registered as a German subject with the German consul at Acapulco, Mexico; Dato at that time in China, was a German consul general for Germany. Dato before the United States entered the war and also since, has been the head of the German information bureau in Lower California, and gave financial assistance to many German agents in Mexico, who were engaged in securing and sending information from the United States to the German ambassador at Mexico City.

It is also a known fact that Pablo Dato for several years has claimed to be a naturalized American citizen. As a matter of fact he never has become an American citizen. Godchaux also learned while in Mexicali and Calexico, that Dato is in direct and constant communication with German consuls at Guaymas, and other Mexican towns, and with the German ambassador at Mexico City.

In 1863 Pablo Dato served for over a year as a volunteer in the German Army. I understand that Pablo Dato married a Mexican woman and that they have six children, Fred, William, Gustave, Anna, Paul, and Adolph Dato.

Also understand that each of his sons have always been pro-German, and were likewise active with their father in his German activities.

Pablo Dato has been and is on very intimate terms with Adolph Garcia, who is said to be a German agent at Mexicali. Garcia is known to have received telegrams and letters from the German consul at Guaymas in regard to remittances of money to him from the German consul at that place and has likewise had in his possession at Mexicali drafts and checks in his favor from Rademacher, the German consul at Guaymas, who is a member of the firm of Rademacher-Muller & Co. at Guaymas.

Pablo Dato, sr., as mentioned hereinbefore, has always been the absolute directing power behind Gov. Cantu, and has controlled Cantu in all of his activities in the past, as he will continue to do in the future. Closely cooperating with Pablo Dato, sr., Manuel L. Lugan, Cantu's legal adviser and his personal intimate friend, also his secretary of state for Lower California, Jacinto Barrera.

It will be well for the United States when considering the advisability of centralizing their hopes on Cantu as a probable solution of the Mexican question, or even as a friendly hitching post in time of trouble with Mexico, in the future to seriously consider before so doing the fact that his father-in-law, Pablo Dato, sr., and many other Germans who are closely affiliated with Dato are the ones who absolutely control Cantu, now and for the future, and such being the case Germans, as they have been and always will be, therefore the United States as it looks to me will have but very little chance for an even break as far as the Dato-Cantu combination is concerned regarding future Mexican affairs in which the United States may be expecting to use the friendly interest of Cantu.

All of my reports to your department has contained information just as I find it whether for or against friends or enemies, likewise whether favorable or unfavorable regarding myself. Several years ago I secured the original leads, worked them out, and broke up the transaction which showed at that time, that ——— had secretly agreed to accept employment as attorney for the Felicista Mexican revolutionary party at Washington, and that the principal part of his work to be done for them was to endeavor to seduce the opinions of Mr. Lane, Secretary of the Interior, Cone Johnson, of the State Department, and other United States officials as to the benefits the United States would receive by recognizing or giving their support to the Felicista Party.

I later secured and sent forward to your department photographic copies of letters passing between Gen. Felix Diaz and his wife and others closely allied with him, which showed his utter contempt and hatred for the United States, and his intention if war occurred between the United States and Mexico to fight

side by side with Carranza against this country, irrespective of the fact that even at that moment Pedro del Villar, his representative in the United States, was assuring the State Department of the great friendship of Felix Diaz, and that he would also support the United States if our Army went into Mexico.

I likewise secured and sent forward to your department several hundred original letters passing between Carranza and many of his prominent officials, to and from each of the revolutionary leaders in all of the Central American countries with the exception of Costa Rica, which showed, as I had previously reported for over a year, that Carranza, as I now know it to be so, was financing with German money various revolutionary movements in Central America. These original letters and reports covering a period of over two years to a certain extent prevented Germany through Carranza from obtaining a strong foothold in Central America, likewise broke up practically all of these revolutionary movements.

I have likewise in times past secured and sent forward to your department original and photographic copies of many important letters, contracts, documents, etc., which showed the affiliations and connections and plans of many prominent Americans, financiers, and others with Mexican and Central American revolutionary affairs.

I fully realize that I am making some very strong statements regarding these matters, particularly so as I believe the State Department may be inclined to have some confidence in Cantu, due to certain representations that have been made to them in regard to the ability and friendliness of Cantu for the United States.

However, I am willing to risk the reputation I believe I have made during the last several years with your department regarding the accuracy of my reports pertaining to Mexican and Central American affairs, and which Chief Bielaski during September, 1918, personally told me that the State Department considered my reports regarding Mexican and Central American affairs the best they received. Many of such reports at the time they were rendered appeared to be pipe dreams, which later were substantiated by documentary evidence or by information secured by other parties for your department.

I mention the foregoing facts to qualify my statement to the effect that sooner or later your department will secure from other available sources confirmation of the information given herein and my statements to the effect that the Americans who are alleged to be backing Cantu are also alleged, simply for the profits they can make, have and are endeavoring to secure the assistance of the United States for Cantu and his other revolutionary associates.

If this is ever accomplished then in that event the United States will have to face the fact that if Cantu is ever President or dictator of Mexico that his every move will be made only on the advice or by the suggestion of his father-in-law, Pablo Dato, sr., a proven German alien enemy, and one who will always be bitter in his thoughts, plans, and actions toward the United States.

INFORMATION REGARDING PABLO DATO, GERMANY'S CONFIDENTIAL AGENT IN LOWER CALIFORNIA, AND ALONG THE ARIZONA, NEW MEXICO, AND CALIFORNIAN BORDER.

Paul Dato, alias Pablo Dato, as shown in the file regarding this party, was born on June 11, 1840, at Grossen on der Oder, Prussia, and served as a volunteer in the German Army. For over a year he was in the German diplomatic service in China, and for about a year and a half, as shown in detail herein-after, served as acting consul general for Germany at Paris, France. He arrived in the United States via steamship *Percire* from Germany at the port of New York on the 22d day of August, 1869.

He is the father-in-law of Gov. Estaban Cantu, Mexican governor of Lower California.

During August of 1874 he left San Francisco, Calif., for Guaymas, Mexico, and in a few months thereafter went to Muleje, Lower California, where he was supposed to have been the secretary of the Lower California Lead & Silver Mining Co. He remained there until the latter part of February, 1875, and in March, 1875, returned to San Francisco, and he remained there for two months and then returned to Guaymas, Muleje, Mexico, and remained in that part of Mexico until 1883.

Shortly after his return in Mexico he married a Mexican woman in Provenencia in 1881, whose name was Donaciana, and who was a native of Sonora. On July 13, 1882, his oldest son, Fred, was born at Sonora, Mexico.

During 1883 he returned to San Francisco and remained about 10 days, and then returned to his home in Lower California. On March 17, 1886, his second son, William, was born at San Jose de Guaymas. In 1888 Gustave, his third son, was born at Guaymas, and on May 6, 1891, his daughter, Anna, was also born at Guaymas. On June 1 Paul Dato, jr., was born in Sonora, Mexico, and on February 24, 1897, his fifth son, Adolph Dato, was born in Sonora, Mexico. Therefore all of his children were born in Mexico.

For a good many years in the past, Pablo Dato repeatedly claimed that he was a naturalized American citizen, and that all of his children were Americans and had been born in the United States. This is a deliberate falsehood. His record also shows since 1906 and up to including 1918 that he was a regular voter in all of the city, county, State or national elections at Calexico, Calif., where he has maintained his home since 1906. Each time he voted as an American, and when he did so knew that he was not a citizen of the United States.

When Germany declared war on the Allies Pablo Dato appeared before Perry Windener, the German consul at Los Angeles, Calif., and registered as a German subject.

At the start of the European war, inasmuch as Pablo Dato represented himself as an American citizen he therefore was able to come and go with his sons across the border, this being due to the fact that he had secured as an American citizen an immigration card permit to come and go over the border.

Several years ago his daughter, Anna, or Anita, married Estaban Cantu, Mexican governor of Lower California. Cantu is decidedly a weak character, and is extremely susceptible to flattery or suggestions made by any one in whom he has even the slightest amount of confidence. Therefore Pablo Dato and his sons, and others who were strictly pro-German that Pablo Dato drew around him, have always been, and still are, the directing power behind Cantu.

At the outbreak of the European War, Pablo Dato immediately took charge of all of the spy and propaganda work for Germany in Lower California and in the United States along that part of the border of Arizona, New Mexico, and Lower California, and as directing head of all of the German spy and propaganda systems in that section, so it is said of him, secured greater results for Germany in everyway than any other German was able to secure along the border.

His son-in-law, Gov. Cantu, of Lower California, from 1916 up to and including October, 1919, carefully followed out all instructions of his father-in-law, Pablo Dato, in regard to helping Germany's cause in Lower California. During this time Cantu did everything in his power to convince United States officials in that part of the country and likewise of Washington, that he, Cantu, was the true and firm friend of the United States.

And in the end, so it is alleged, Cantu was able to convince the State Department that he was really friendly with the United States. This enabled Cantu on account of his presumed friendship for the United States to secure many favors and practically operate along that part of the border with a free hand. Therefore on account of the belief that the United States had in him, Cantu and his father-in-law, Pablo Dato, with his German spy and propaganda system was able to operate same up to October, 1918, almost with a free hand, and which resulted in him after the United States entered the war in rendering service to Germany along these lines that from a standpoint of its value to Germany could never be estimated.

During that time Pablo Dato resided at Calexico, Calif., which is across the border from Mexicali, Lower California. He was during this time on close and intimate terms with the officials of the Calexico national bank which was alleged to be a pro-German institution. Dato was likewise a heavy depositor in that bank, and in their safety deposit vaults held three safety deposit boxes in his name. Among the intimate friends at Calexico connected with this bank was F. Cloake, as president, and William Guttmann, as cashier. All of his sons likewise when on the Mexican side of the border were extremely pro-German and likewise participated in all of the German spy and propaganda plans of their father.

During 1917 Fred Dato was convicted in the United States courts on a charge of conspiracy in an attempt to take arms and ammunition to Mexico. For this offense he was sentenced to serve 10 months imprisonment and to pay a fine of \$10,000. The United States Government, however, are alleged to have allowed his case to drag along due to the fact that they did not want to offend his brother-in-law, Gov. Estaban Cantu.

During 1917 Pablo Dato and all of his sons constantly carried out of Santlago and Calexico into Mexico, many thousands of dollars worth of farm machinery and food products, likewise handled so it is said several hundreds of dollars of gold which they carried into Mexico. This resulted in a charge being made in the United States courts against Fred Dato in 1917 on a charge of violation of the espionage laws for illegally taking into Mexico without the proper licenses, certain farm machinery and food products from the United States. This charge was also held up so it is alleged, by orders from Washington, due to the fact that it might offend his brother-in-law, Gov. Estaban Cantu, if the case was pushed.

After the United States authorities woke up to exactly what the Dato family were and realized that Gov. Cantu's friendship for the United States meant nothing, it then resulted in the United States authorities during October or November, 1918, forcing Fred Dato to end his cases in the courts, and which resulted in Fred Dato paying a fine of \$5,000.

The three safety deposit boxes of Pablo Dato, at Calexico National Bank were numbers 54, 87, 99. When these were opened by United States authorities they contained positive proof regarding Pablo Dato, sr.'s German citizenship, also regarding his German spy and propaganda system along the border.

Pablo Dato during the war repeatedly signed checks or indorsed notes for Mexicans who were known German operatives on the Mexican side of the border.

Pablo Dato maintained at Calexico an underground clearing house which resulted during 1916, 1917, and 1918 in many Germans being able to leave the United States by Calexico, San Diego, Calif., or at other various border points in California, Arizona, and New Mexico.

He secured from Von Eckhart, the German ambassador at Mexico City, the necessary funds to erect at Mexicala a powerful and fully equipped wireless station, which was in constant operation and which was at all times in direct and constant communication with the German consuls at Guaymas and Mazatlan and from those towns relayed to the German Embassy at Mexico City. Messages all during this time were constantly sent and received through these channels which enables them without any interference to freely have the opportunity for the transmission of information from the United States to the German Embassy at Mexico City, and to do so by this wireless was a simple and immediate matter. Pablo Dato is known to have repeatedly boasted that wireless messages had been sent from Mexicala by Guaymas and Mazatlan to Mexico City and an answer received within from an hour and a half to two hours.

It is also a known fact that Pablo Dato was the active paymaster along that part of the border for Von Eckhart, the German ambassador to Mexico City, and that prior to the start of the European war Pablo Dato and all his sons, also Gov. Estaban Cantu were all at times from a financial standpoint exceedingly hard up; after the war broke out it became an extremely noticeable fact that all of the Dato boys, their father, and Gov. Cantu were extremely well fixed financially. They then became owners of three expensive automobiles and the Dato boys began spending each day large amounts of money.

Many of the Mexican officials of the Cantu administration also became financially well fixed at that time. Names of these Mexicans will be mentioned hereinafter.

On the night of the day that the news was received in Mexicala that the *Luxitania* had been sunk by German submarines there was held at Gov. Cantu's house a banquet which was given in honor of the naval power of Germany; Pablo Dato and all of his sons were there, likewise a large number of Gov. Cantu's officers and several Germans.

At the time Pablo Dato's bank accounts, property, and safety deposit boxes were seized by the United States officials in Calexico during April or May of 1918, \$8,000 was found to the credit of Pablo Dato, \$4,000 of which was in a savings account, and \$4,000 in a checking account. A few days prior to the time the property was seized it was said that he and his sons drew out of the bank at Calexico, and from other banks in San Diego and Los Angeles, Calif., in excess of \$75,000 gold.

Another account at the Calexico National Bank it is alleged, stood in the name of Carlotta T. Dato, by Pablo Dato, agent. This account is said to have been in excess of \$5,000, and Carlotta is a sister of Pablo Dato and resides in Germany.

In and within a few miles around Mexicala there are from 20 to 25 Germans employed on farms. At one time on the Becker Ranch, which is leased by

Martinez, there were said to have been quite a number employed, as high as 20 at one time. All of these Germans were constantly in conference with Pablo Dato, Gov. Cantu, or the various Dato boys.

All during 1917 and 1918 there were from 10 to as high as 25 itinerant Germans in Mexicala, who invariably upon their arrival there immediately got in touch Pablo Dato. Such Germans were going and coming all the time, and whenever necessary were said to have been financed by Pablo Dato or Adolph Garcia, and were then sent south to Guaymas or to Mexico City.

Among those known to have been active participants in German spy and propaganda work at Mexicala, and Guaymas, Lower California, Calexico, San Diego and Los Angeles, Calif., also at other border points, who at all times were acting under orders and instructions of Pablo Dato, sr., are the following: Gov. Estaban Cantu, Mexican governor of Lower California; Paul Dato, jr., Mexicala, Lower California; Gustavo Dato, Mexicala, Lower California; William Dato, Mexicala, Lower California; Jacinto Barrera, secretary of state for Lower California, Mexicala, Lower California; Gen. Cordillo Escudero, Mexicala, Lower California; Ramon Guerrero, Mexicala, Lower California; Gustave Buinzo, Nogales, Ariz.; Paul Krause, an Austrian living for a time in San Diego, Calif., and while there operated a livery car which was supposed to have been furnished him by the Dato boys. Krause knows the Dato boys, as they were schoolmates together; Fred Dato, Mexicala, Lower California; Adolph Dato, Mexicala, Lower California; Rafael Cantu, Mexico City, Mexico, and Mexicala, Lower California; M. Guerrero, private secretary of Gov. Estaban Cantu, Mexicala, Lower California; and Col. Cerduche.

The following Germans and Mexicans were very active in German spy and propaganda work under the direction of Pablo Dato, and the German consuls in Lower California and along the border: Gustavo Buinzo, Nogales, Ariz.; G. Huns, Mazatlan, Mexico; Roberto Still, Mazatlan and Guaymas, Mexico; L. Constanza, Guaymas and Mexicala, Mexico; A. Rademacher, German consul at Guaymas, Mexico; Col. Jose T. Cantu, Mexico City and Mexicala, Mexico, a brother of Gov. Estaban Cantu; Gen. P. Elias Calles, secretary of commerce and industry in Carranza's cabinet, also ex-governor of Sonora; Lathor Withe (alias Pablo Wabirski), operated in and across the border from Texas, Arizona, New Mexico, and Lower California, now in military prison at San Antonio under court-martial, sentenced to death; Fernando Gregoir, Mazatlan, Mexico; C. R. Lings, Mazatlan, Mexico; Max Cohen, Guaymas, Mexico; ——— Muller, of Guaymas, Mexico; W. R. Roachy, one of the secretaries of Gov. Cantu, Los Angeles, Calif., Calexico, Calif., and Mexicala, Mexico; Gen. Carlos Plank, Mexican military commander in northern Sonora; Capt. Cailles, commander thirty-fourth detachment of Mexican troops on the Colorado side in the State of Sonora.

One of Pablo Dato's most successful agents at Mexicala, Mexico, and Calexico, Calif., and along the Sonora border, was Adolph Garcia, who after the United States entered the war was actively engaged in various German spy and propaganda efforts in behalf of Pablo Dato. Garcia keeps a general store at Mexicala and has a large warehouse in the rear. He employs two Germans, both of whom are clerks in his store; neither one of these parties were but very seldom in Mexicala and are alleged to have acted as messengers for Pablo Dato between Mexicala and various towns and cities in Mexico. One of these parties is a tall, slim fellow, pale complexion, and about 44 years of age, and is known as Gustavo. The other is young (about 25 years of age), red faced and apparently a sailor, very strongly built, and is known by the name of Christian.

During the latter part of March, 1918, Garcia, while intoxicated, exhibited a wireless telegram received at the local wireless station in Mexicala from the German Embassy at Mexico City. The telegram read:

"Am instructing consul in Guaymas to remit to you. Will send more later."

Garcia then endeavored to have a draft cashed which came from Herman Rademacher, the German consul at Guaymas, who is a member of the firm of Rademacher-Muller & Co., at Guaymas. The draft was for \$800.

Part of this money, it was understood, was to repay Garcia for having advanced something in excess of \$300 to five men who had been sent south by Garcia. These five men were Germans and are said to have been the same men who were captured on board *The Alexander Agassiz*. These five men left Mexicala during February, 1918, proceeded eastward and crossed the Colorado River near Monument 204. They were guided by the German clerk of Garcia, Christian. Upon reaching the Sonora side they were met by Capt. Calles, of

the Mexican Army, who is in command of the Thirty-fourth detachment of troops on the Colorado side in the Mexican State of Sonora. Calles furnished guides and burros for these five men and sent them eastward across the Sonora desert to some point where it was presumed they would connect with the railroad south of Guaymas.

Garcia during the early part of 1918 was very jubilant over the German advances that at that time were being made in France. During March he deposited in bank \$500 gold, which was in the form of postal money orders from Herman Rademacher, the German consul at Guaymas.

Garcia repeatedly during 1917 and 1918 borrowed several different amounts of money at the Mexicala Bank. These amounts ranged from \$200 to \$1,000, all of which he is said to have repaid. His notes were always indorsed by Pablo Dato.

Adolph Garcia is said to be an extremely well-educated man, speaks English, French, Spanish, and German. He is by no means such a man as would engage for his living as a regular business in a small mercantile establishment such as he was operating in Mexicala, and which is said to be simply as far as the business is concerned a blind.

He is a heavy drinker and gambles, and his gambling losses have always been very heavy. He always carried with him, so it is said, from \$500 to \$1,000 so that he will be able to supply traveling Germans on the way to Mexico City or other places in Mexico with funds.

BIRTH CERTIFICATE OF PABLO DATO, CONFIDENTIAL GERMAN AGENT IN LOWER CALIFORNIA.

The following is translation of an original document in the German language:

This birth certificate also shows that in 1863 Pablo Dato served as a one-year volunteer in the Prussian Army.

"Birth certificate of Adolph Paul Dato:

"In the respective register of the Church of Grossen, there was entered on the 21st day of June, 1840, the following:

"Adolph Paul, born June 11, 1840, mother, Caroline Frederike Dato; father, Carl Frederich Dato; baptized this date.

"This certificate is extended without charge.

"Given at Grossen March 8, 1858.

"GEMBER,
"Supt. and High Pastor of the City."

NOTIFICATION FROM THE COUNT SOLMS, THE GERMAN CHARGÉ D'AFFAIRES AT PARIS, FRANCE, TO PABLO DATO, REGARDING CREDENTIALS OF PABLO DATO TO WEAR THE GERMAN DECORATION, THE ROYAL CROWN.

To Mr. PAUL DATO, Associate of the Mission Duchemin, Ducasse et Cie, Paris.

[Printed letterhead Prussian Embassy in France.]

PARIS, August 6, 1868.

SIR: Referring to my letter of June 18, to-day I take pleasure in inclosing the proper credentials authorizing you to wear the order of the Royal Crown of the Fourth Class.

Accept assurances of my highest consideration.

The chargé d'affaires:

COUNT SOLMS.

Mr. PAUL DATO,

Paris, No. 10 Rue de Englien.

CITATION FROM THE GERMAN EMPEROR DECORATING PABLO DATO WITH THE IMPERIAL ORDER OF THE CROWN.

The following is translation from the original in the German language:

"On orders from his majesty, the King, the general commission in charge of the royal Prussian orders, hereby attests that his majesty has gracefully conceded to the merchant, Paul Dato, of Paris.

"The imperial order of the crown of the fourth class and it herewith extends the proper credentials bearing our seal and signature.

"General commission of the royal Prussian orders:

"COUNT SOLMS."

BERLIN, May 30, 1868.

NOTIFICATION FROM THE GERMAN "CHARGÉ D'AFFAIRES" AT PARIS, FRANCE, TO PABLO DATO REGARDING DECORATIONS PRESENTED TO HIM BY THE EMPEROR OF GERMANY.

The following is translation from the original document, which was written in French:

[Printed letterhead, Prussian Embassy in France.]

"PARIS, June 15, 1868.

"Sir: The King, my august master, has conferred upon you his order of the Royal Crown of the fourth class (cross of a knight), you so well deserved.

"By handing you this high distinction I request you to acknowledge receipt and the proper credentials will be extended to you.

"Receive, sir, my congratulations and the assurance of my distinguished consideration.

"For the Ambassador of Prussia.

"The Chargé d'Affaires:

"COUNT SOLMS."

COPY OF THE APPOINTMENT OF PABLO DATO AS ACTING GERMAN CONSUL IN PARIS, FRANCE.

The following is the correct translation from the original document, written in the German language:

"STUTTGART, December 19, 1865.

"YOUR HONOR: Yours of the 14th instant I have received and had the honor to inform myself that the Royal consul, Mr. Glaenger, during his absence has appointed you to act in his place and that you gracefully accepted.

"I hasten to express to you my approval of the decision of the Royal consul and hereby express to you at the same time my high appreciation for having accepted the representation of this consulate, and it would afford me pleasure to enter into official relations with you.

"WAMBULLER."

His Honor, the representative of the Royal consul at Paris.

Mr. Paul Dato, whose direct address is not known to me.

CERTIFICATE OF REGISTRATION OF PABLO DATO AS A GERMAN CITIZEN, BEFORE THE SUBPREFECT AT MULEJE, LOWER CALIFORNIA.

The following is correct translation of the original written in the Spanish language:

"To the subprefect of the Center Part, Muleje, Lower California.

"Pablo Dato, a German citizen, a resident of Santa Rosalia, Lower California, appears before you and respectfully states:

"Having acquired real estate property in the port of Santa Rosalia, being married to a Mexican woman, who now is the mother of two children, in accord with the provisions contained in Article I, Capital V of the law governing the naturalization of foreigners, dated May 2, 1886, and being inside the limit of time set in referred to article, hereby express my desire to conserve my German citizenship.

"In virtue whereof I beg that this, my expressed desires, be admitted and that a certified copy be furnished me.

"I swear that I proceed in good faith.

"SANTO ROSALIA, November 15, 1886.

"Two stamps of 50 cents each duly canceled.

"On the margin a seal—Mexican coat of arms, reading, 'Subprefecture of the Center Part of Lower California.'"

Muleje, November 18, 1886, presented under this date the above petition, note has been made in the respective book. Return original to petitioner. Approved and signed by the subprefect of the Center Part of Lower California, in presence of the official clerk.

J. YGNACIO ARIO,
RAMON MERIRO, *Clerk*.

"The original has been delivered as ordered, after due entry had been made in the respective book."

DATA REGARDING THE ORIGINAL GERMAN ORGANIZATION WHICH IN MEXICO
HANDLED THEIR ECONOMICS AND WAR PROPAGANDA.

Pablo Dato, sr., was very active in this organization.

It was known as the Verband Deutscher Reichsangerhoriger (Union of Subjects of the German Empire) with headquarters in the Boker Building, Mexico City, and has branches and agents as follows:

Mexico: — Krause, Julio Blumenkow, Augustin Grosset, Ernest Grether, Hans Muller, Karl Junke, head of German secret service in Mexico; E. Von Lubek, Boker Building; Theodo Rich Schumacher, Box 1388; Hugo Marquardt, 2a San Agustín 56; Franz Boker, Mexican Hardware Co., Box 149; Dr. Emil Boese, S. Pedro los Pinos Avenue 16 No. 2315, care of Ketelson & Degetau.

Chihuahua: Max Fishbaum, Herman Kreigsman, Otto Brelefeld, Herman Pless. — Von Kelk.

Ciudad Juarez: Frederiets Reuther, German consul at Juarez; S. Blancas. Durango: Rodolfo Schommer. — Peters.

Guadalajara: Paul Hansen, Hans Deeke, Karl Paulsen.

Guaymas: Max Cohen, L. Constancia, Gustave Iberi, A. Rademacher, German consul; Hnos. Muller, partner of Rademacher.

Mexicala: Frederick, Gustave, Adolph, Pablo, jr., Williams, W. R. Reachy, and Pablo, sr., Dato.

Mazatlan: Fernando Gregoir, G. Himback, G. Hans, C. R. Lings, Robert Stoll, Melchers Sniers.

Merida, Yucatan: W. Dirks, Maurice Galler, Adolphus Struck, Augustine Lewels, Kunn Heller, Emil Moller, Consul F. Guckler.

Monterey: R. A. Bremer, J. Cram, L. Langstruth, Adolf Schefold.

Parral: Edgar Koch, K. Stallforth, Eduardo Koch.

Puerto Mexico: G. C. Souffront, care of Hamburg American Line, Box 72.

San Luis Potosi: Consul George Unna, — Ozuna.

Tampico: Carl Heynan, K. Eversbusche.

Tejic: Z. Guzman, Julius Delius.

Torreon: Julian Lark, — Normehren.

Vera Cruz: Arturo Arrieta, Pedro Basaner, Rudolph von Lubek, Guillermo Busing.

Zacatecas: Herman Reimers.

Montezuma: Joseph Korn.

Matamoros: H. Eschreck.

Nuevo Laredo: Capt. K. Hinsch, German Army officer; Herman Ruckheim.

Nogales, Ariz.: Gustave Buinzo, H. J. Woodl.

The public head of this society is R. von Lubek, who lives at 28 Calle, Berlin, and has offices in Boker Building, Mexico City. He is a retired merchant, formerly of the firm of Robert Boker & Co., one of the leading hardware companies in the City of Mexico. Fritz Sommer, son of B. Sommer, one of the leading jewelers in Mexico City, traveling throughout Mexico organizing and furthering the work of this society.

There is also a committee organized under Von Lubek for active work in the Mexican Army. The German Army officer in charge of this work is Capt. Ricardo W. Schwierz, who worked through some 40 German officers in that body. This committee also works through Col. José del Campo, Corps of Engineers, Mexican Army; Cuatro Ciénegas and Saltillo, Capt. Herman Ruckheim, Nuevo Laredo, Cal. Carlos Plank, of Sonora; Gen. P. Elias Calles, of Sonora; and a Spaniard named Gudiola, editor of *La Regeneracion*, of Saltillo.

The society furnishes inspiration and financial backing for the following papers in Mexico City: *Boletín de la Guerra*, *Informaciones en las Americas*, *Crónica Alemana*, *Deutsche Zeitung von Mexico*, and all has subsidized the

following dailies: *El Democrata*. In Monterrey it subsidizes the following: *El Heraldo Europeo*. It also furnishes pro-German news for Mexican papers, and, in connection with *La Sociedad Ibero Americana de Hamburg* and Trans-ocean, of Berlin, publishes and distributes pamphlets on the German side of questions. It encourages business men to advertise in Mexican new-papers and thereby gains their interest and assistance in spreading pro-German news and kultur. It publishes posters, which are seen throughout the leading cities of Mexico, and provides lectures on various subjects. It has organized societies of Boy Scouts to drill and train in German fashion. The influence is felt throughout the department of public schools, as shown by their training, which includes the "goose step." Another committee of this society arranges for free courses of German in the schools; another is charged with providing a hospital.

During the strained times with the United States the Germans throughout Mexico showed most lively sympathy with the Mexicans, and promised them active aid in case of war between Mexico and the United States. Recently Von Lubek wired all German consuls in Mexico of the enthusiastic reception awarded the German minister, and of the hissing and anti-American sentiment shown the American ambassador at the opening of Congress, and requested them to see that same was published in Mexican towns and papers.

The following letter covers the organization and intentions of the society:

APRIL 15, 1916.

From: Verband Deutscher Deichsangehoriger, Box 1221, Mexico City.
To: Deutscher Wirtschaftverband, Central and South America, 28 Potsdamer Str., Berlin, W-35.

This is to advise of the organization in this society as far back as June 16 last. As your association is occupied in Latin-American countries, our society will pursue the same course here. It is not practical for us to aid Germany by force of arms, so our main intention will be to aid all possible in an economic manner.

The society was founded June 16, having 164 members, and the first committee was chosen October 12, at which time the propaganda was circulated in the capital and throughout the interior, and at the same time 245 Germans of the empire joined in the capital and 113 from the interior, making a total of 522.

As you can readily see from reading our statutes, we will accept none as members save native-born Germans, and their nationality must be proven beyond doubt. That proscription also permitted the imperial authorities to recognize the nationality of 60 Germans. Moreover, there is a great number of Germans who for various reasons "by not observing the ancient regulations lost their nationality," have regained their standing as Germans and have been rehabilitated under the new liberal rules of the association, and it is to be hoped that excellent results will emanate from this source.

Up till the present a great number of publications on the war have been circulated in the cities and throughout the country dealing from the German viewpoint, by the *Ausschuss fur Verteilung von Aukklarungs Material* who have been working for three months, and a great number of Mexicans have been convinced that we are in the right, in the methods of conducting the war and our spirit of German culture. Also the following technical works and serials have been distributed: "The Great War in Description," "The Actual War," "The Discourse of the Chancellor of September 12, 1915," "The War and the Right of Dr. Ed. Llorens." The stories contained in the *Herald*, of Hamburg, received here in December met with great approval.

The circulation of propaganda will be assured by means of 29 local committees and other members throughout the country, and we are hopeful of the greatest results.

Free courses in German have been instituted in the German schools by Mexican instructors without special effort on the part of our association, although a part of the general plan of the committee, and has been received with great approval by the public, and adds to our propaganda. By this means the public will be given to understand Germany and to receive the true communications of our general staff on happenings of the war, and the public will be disposed to accept our announcements.

It is desired to begin the immediate construction of a German hospital, which will be a great impulse to our colony and will demonstrate to our following, the power of German science, German ability, and the German spirit of

organization. If the Empire approves and will give aid it will be a great point for our propaganda. A committee of physicians has this matter under study from the scientific point of view.

The colony of Germans of the Empire here is relatively small, and the economical setbacks of the country for the past five years have greatly hindered our spirit of enterprise against the economical strength of our enemies.

Address the correspondence for the president to Ad., Christliebsan, Apartado 58, Mexico, or to the secretary, Hugo von den Steinen, Apartado 1221, Mexico.

Continuation confidential report by Cresse to Department of Justice re trip of F. R. Betancourt from New Orleans to Los Angeles, to make arrangements with Gov. Cantu of Lower California regarding arms and ammunition to be run out of the United States.

NEW ORLEANS, LA., November 23, 1918.

My report of September 23, 1918, will give you full information regarding negotiations between Betancourt and Godchaux regarding the proposed arms and ammunition transaction with Gov. Estaban Cantu of Lower California.

Betancourt left New Orleans as mentioned in my report of September 23, at 7.30 p. m. Saturday, September 21. He arrived in San Antonio, Tex., 1.30 p. m. September 22, and registered at the Menger Hotel that city.

Godchaux left New Orleans September 23, via Southern Pacific Railway. He arrived in San Antonio September 24 and registered at the Menger Hotel that city, room 122. Prior to his arrival in San Antonio he wired Betancourt the date of his arrival, and Betancourt was waiting for him in the Menger Hotel lobby. By previous arrangements Betancourt and Godchaux were to leave San Antonio immediately upon the arrival of Godchaux in that city. Betancourt, however, wanted to wait around in San Antonio until his lover, Mrs. V. Lorie, met him there.

My confidential report of November 27, 1918, entitled "Re F. R. Betancourt alleged to have transported Mrs. V. Lorie for immoral purposes from New Orleans to San Antonio and from there to Los Angeles, Calif.," will give you full information regarding why Betancourt laid around San Antonio for about a week waiting to get in touch with Mrs. Lorie and have her meet him in San Antonio.

Godchaux, from September 24 to September 28, at San Antonio, was constantly in the company of Betancourt, Antonio Magnon, George Warden, and many other Mexicans who are affiliated with Mexican revolutionary activities in that city. Godchaux, while in San Antonio, made his headquarters at 402 Brady Building, which is the office of Warden and Magnon.

During this time Betancourt several times suggested to Godchaux that he start for Los Angeles and that he (Betancourt) would follow him on the next train. Godchaux stalled Betancourt along regarding this matter until he had communicated with me, and at that time also told me the probabilities were that Betancourt might try to cross over the border into Mexico without a passport. I therefore requested your New Orleans office to telegraph the following instructions to Godchaux through your San Antonio office. The telegram mentioned was as follows:

"Tell Godchaux who is at Hotel Menger, and who expects to leave San Antonio to-night, not to leave Betancourt for a second, and to positively go with him wherever Betancourt goes, and if Betancourt crosses into Mexico without passport, also do the same. Agent Keep, at Los Angeles, will arrange your permit card to get into Mexico. Also instruct Godchaux to telegraph Kale Jones, at Hotel Paso del Norte, El Paso, Tex., when Godchau arrives in Los Angeles and his exact route from Los Angeles, and to positively go with Betancourt to see Cantu."

NOTE.—It is important in your telegram to the San Antonio office to caution them about seeing Godchaux, for he is with a bunch of Mexicans there, all of whom know the majority of the men connected with the San Antonio office.

Mr. Sullivan, of your San Antonio office, on September 27 telephoned Godchaux, and when none of the Mexicans were around Sullivan then called at the Menger Hotel and gave Godchaux the instructions mentioned in the above telegram.

On September 27 Betancourt told Godchaux he was ready to leave for Los Angeles but that it would be very unwise and not safe for him (Betancourt)

and Godchaux to leave San Antonio on the same train, because the secret-service people were watching him (Betancourt), and if they saw him leave San Antonio with Godchaux it would make them more suspicious than they already were. He insisted upon Godchaux leaving San Antonio the next day, and said he would follow on the next day. Godchaux therefore left San Antonio on September 28, fully expecting Betancourt would follow him on the next train.

Godchaux, on the night of September 27 wired my office manager as follows: "Leaving for Los Angeles Saturday, noon; stop Hotel Alexandria. Anxious see Kate before leaving here. Will try see her at depot if she is on train arriving 1 o'clock otherwise will stop El Paso on Sunday to see her. Resume trip same night, get Los Angeles Monday evening. Do not answer; left hotel. "PAUL."

NOTE.—Kate is code name for Cresce.

In answer to Godchaux's telegram of the 27. I immediately wired him at Sanderson, Tex., and El Paso, as follows:

NEW ORLEANS, LA., September 28, 1918.

Dr. P. M. GODCHAUX.

Sanderson, Tex. (Please try and deliver this message to him on S. P. train to El Paso during the next 24 hours):

Kate not at El Paso and won't be there until next Wednesday or Thursday; likewise will not arrive Los Angeles until next Sunday or Saturday; therefore not necessary for you to stop at El Paso and you can continue your trip without stopping off at El Paso.

NEW ORLEANS, LA., September 28, 1918.

P. M. GODCHAUX,

Hotel Paso Del Norte, El Paso, Tex.

Kate leaving home to-morrow and won't arrive El Paso until next Tuesday or Wednesday, as she is stopping off to make other visits; very important for you not to see any of the family at El Paso, or attend to anything there; also keep away from everybody else. Likewise suggest stop at all times with Court and complete trip with him. Kate expects to arrive Los Angeles on October 4 or 5.

NOTE.—Court is code name for Betancourt.

Godchaux, therefore, did not stop off at El Paso, and proceeded direct to Los Angeles, arriving there September 30.

I left New Orleans via Southern Pacific Railway October 1, at 7 p. m. After the train left the depot I noticed, in the sleeping car that I was in, Mrs. V. Lorie, who is the lover of Betancourt. I knew her by sight, but feel sure she, up to my arrival the following day in San Antonio, did not know me.

When I arrived in San Antonio at 1.30 p. m., October 2, was very much surprised to see Betancourt meet Mrs. Lorie at the depot, for up to that moment felt sure he was on his way to Los Angeles with Godchaux, for at that time had heard nothing from Godchaux regarding him leaving ahead of Betancourt.

Betancourt saw me at the depot in San Antonio, rushed up to me and was apparently very glad to see me, which, of course, I knew was nothing but hypocritical on his part, due to the fact that in times past I had several run-ins with him, as will be mentioned hereinafter.

I told Betancourt I was passing through San Antonio, and then got into a taxicab and went to the St. Anthony Hotel. As I was registering Mrs. Lorie walked into the lobby of the St. Anthony Hotel and likewise registered. I had expected to leave San Antonio that night, but due to the fact that Mr. Breniman, superintendent of your San Antonio division, expected to go to El Paso the following day, I therefore waited over and Mr. Breniman and myself left San Antonio for El Paso at 1.30 p. m., October 3. We had a drawing room on that train, and I had made arrangements to meet Mr. Breniman in the drawing room.

When I arrived at the depot, saw Betancourt and Mrs. Lorie there. They at once saw me and I, of course, stopped and spoke to Betancourt, who at that time introduced me to Mrs. Lorie. He asked me where I was going and I told him over to El Paso, and he said he likewise was going to El Paso. I knew, however, he was lying, for I had overheard him tell Mrs. Lorie in Spanish the exact time he would arrive in Los Angeles.

I saw Betancourt once or twice on the train and had very little conversation with him and he at no time saw me with Mr. Breniman.

On the morning of October 4 I arrived in El Paso. Betancourt went to Los Angeles. I had wired Godchaux from San Antonio asking him why Betancourt was not with him, and suggested that he telegraph Warden. The telegrams I received from Godchaux were as follows:

LOS ANGELES, CALIF., *October 1, 1918.*

KALE JONES,

Hotel Paso del Norte, El Paso:

Your telegrams here received. Wanted to see you before leaving El Paso, but arranged matters myself. Everything fine; customers here treated me royally. Wire me where and when you be here. Want to see or write you before going away. Will advise what town I make next. Folks send you regards.

HENRY.

LOS ANGELES, CALIF., *October 3, 1918.*

KALE JONES,

Paso del Norte Hotel, El Paso:

Friend wired he be here Saturday. Received wire later confirming his departure. Doubtful whether we leave before Monday to see party unless decide go immediately upon arrival Saturday. Wired you El Paso October 1. Have everything fine shape. Necessary I see or communicate with you before returning south, account expenses. Regards.

HENRY.

Godchaux, as per my instructions to him by telegraph, wired Warden at San Antonio regarding Betancourt as follows:

LOS ANGELES, *October 3, 1918.*

GEORGE WARDEN,

402 Brady Building, San Antonio, Texas:

Waiting for Betancourt. When can expect him? Answer.

P. M. GODCHAUX.

In answer to the above telegram Warden wired Godchaux as follows:

SAN ANTONIO, TEX., *October 3, 1918.*

P. M. GODCHAUX,

Hotel Alexandria, Los Angeles, Calif:

Left to-day at noon.

GEO. B. WARDEN.

In the meanwhile had received telegram from Mr. Sullivan of your San Antonio office while en route to El Paso, as follows:

C. E. JONES,

Drawing Room A, Car 59, care of Conductor No. 101, Hondo:

I have your coat. Redhead still here. Will cover and wire you. Blackhead went on train.

SULLIVAN.

NOTE.—Blackhead refers to Betancourt; redhead to Mrs. Lorie.

Also received the following telegram at El Paso from Mr. Sullivan regarding Mrs. Lorie, as follows:

SAN ANTONIO, TEX.

C. E. JONES,

New Hotel Rosslyn, Los Angeles, Calif.:

Your overcoat left here 1:20 train October 8, addressed Eugene Jones, care New Hotel Rosslyn. Trace Wells Fargo there for San Antonio. Waybill No. 1, October 8; baggage, 6 pounds; 74 cents prepaid; value, \$30; mailed letter regarding same October 7.

SULLIVAN.

Before I left San Antonio, felt sure that Mrs. Lorie would follow Betancourt on the next train. Am convinced of the fact that Betancourt got Godchaux out of San Antonio as mentioned hereinbefore so he could meet Mrs. Lorie and then travel with her to Los Angeles, but after she arrived in San Antonio he probably thought that in some way it might be dangerous for him to make the trip from San Antonio to Los Angeles with Mrs. Lorie, therefore had her follow him the next day.

I then wired Godchaux from El Paso as follows:

EL PASO, TEX., *October 4, 1918.*

P. M. GODCHAUX,
Alexandria Hotel, Los Angeles, Calif.:

Party left San Antonio same train I did yesterday. He should arrive Los Angeles Friday morning. When he arrives, rush business with him; also urge that he start immediately. See those parties. Very important successfully push that business through. I expect arrive Los Angeles Sunday or Monday night. Will wire exact arrival.

KALE.

Godchaux in the meanwhile had received the following Western Union telegram from Betancourt:

SAN ANTONIO, TEX., *October 3, 1918.*

P. M. GODCHAUX,
Alexandria Hotel, Los Angeles, Calif.:

Arriving Saturday morning.

F. R. BETANCOURT.

I left El Paso on the afternoon of October 5 and arrived in Los Angeles October 6. Immediately got in touch with Godchaux, and much to my surprise learned from Godchaux when he met me in my room, 738 New Rosslyn Hotel, that Betancourt and Mrs. Lorie had registered on October 6 at the New Rosslyn Hotel as Mr. and Mrs. Lorie, San Antonio, Tex., and were in room 836, which was directly over my room.

On October 7 I ran into Betancourt in one of the elevators of the New Rosslyn Hotel and he nearly dropped dead with surprise at seeing me. He wanted to know how long I had been there, when I was leaving, etc. Told him I was leaving for Tucson and Phoenix, Ariz., in a day or so. After that day Betancourt never saw me again in Los Angeles, although I several times saw him.

Betancourt when he arrived in Los Angeles, October 5, registered at the Hotel Alexandria, room 870. All of that day and evening he spent with Godchaux and Martin de Leon planning to leave at an early date for Calexico to see Gov. Cantu. He said nothing at all to Godchaux regarding Mrs. Lorie, or her expected arrival in Los Angeles, nor did he ever thereafter mention Mrs. Lorie to him.

Godchaux on the morning of October 6, while endeavoring to secure a copy of one of the New Orleans daily newspapers, was going from one news stand to another in several of the Los Angeles hotels, and for that reason was in the lobby of the New-Rosslyn Hotel, when he saw Betancourt come in with Mrs. Lorie. Godchaux immediately disappeared and Betancourt and Mrs. Lorie went to their room. Godchaux then went to the register and learned what room they were in, and a few moments thereafter he telephoned their room and asked in a disguised voice for Mr. King, and Betancourt answered the telephone. Godchaux in that way knew that Betancourt was in the room. Godchaux then told Betancourt to excuse him, for he undoubtedly had been connected with the wrong room.

On October 1 or 2, Godchaux called at your Los Angeles office and introduced himself to Mr. Keep, and was then introduced to Mr. Conaty, immigration inspector at Los Angeles, who gave him letter to Mr. Musgrave, his inspector at Calexico, instructing him to issue to Godchaux temporary citizen's permit card to cross into Mexico.

Godchaux on October 7 was told by Betancourt that he was leaving the Alexandria Hotel, and he thereafter would be at room 523, Hotel Hayward. Betancourt secured this room at the Hotel Hayward simply as a blind and to receive his mail from his family and associates, for thereafter he spent all of his time with Mrs. Lorie and was but very seldom in his room at the Hotel Hayward.

At the time Betancourt met Godchaux in San Antonio he assured Godchaux that he would have no trouble at all in regard to securing his passport to cross into Mexico. After Betancourt arrived in Los Angeles he told Godchaux he had been unable to secure his passport and would have to wait 30 days for same. Godchaux then said, probably Mr. Poole, due to his political influence, would be able to arrange to have a temporary permit card issued in Betancourt's favor. Therefore Godchaux sent Mr. Poole the following phony telegram:

LOS ANGELES, October 9, 1918.

S. J. POOLE.

Hotel Waldorf-Astoria, New York City:

Must have interpreter arrangement at Washington for Betancourt; permit immediately.

P. M. GODCHAUX.

Through the cooperating of Mr. Keep, of your Los Angeles office, at my request Godchaux received the following phony telegram from Mr. Poole:

NEW YORK, N. Y., October 9, 1918.

P. M. GODCHAUX,

Hotel Alexandria, Los Angeles, Calif.:

Replying your telegram, have arranged through Senator friend to have immigration department grant three-day permit card for interpreter; necessary instructions, so I am advised, have been telegraphed regarding the matter to immigrant official at Los Angeles and Calexico; see them immediately.

POOLE.

On October 10 Godchaux took Betancourt to the office of Mr. Conaty, immigration inspector at Los Angeles, who at that time per previous arrangements made with Mr. Conaty by me wrote a letter to his inspector at Calexico to issue a temporary permit card to Betancourt to cross into Mexico from Calexico.

Betancourt prior to that time had asked Godchaux to secure some positive letter of authority from Mr. Poole which would show that Godchaux had full power to complete the negotiations for the arms and ammunition with Cantu. Godchaux therefore wrote a telegram showed it to Betancourt, who thought this phony telegram was sent to Mr. Poole.

Through the cooperation of Mr. Keep of your Los Angeles office at my request Godchaux received the following phony telegram from Poole.

NEW YORK, N. Y., October 7, 1918.

P. M. GODCHAUX,

Hotel Alexandria, Los Angeles, Calif.:

Your letter September 13 received. Can handle order for any amount of goods for immediate delivery. Do not think necessary for me to again confirm by letter your authority, as this will serve the same purpose as I have given you full power to act as my representative of which your parties are fully aware and familiar with now. Understand that I am placing full responsibility and confidence in you and can not accept any business only upon cash basis as previously arranged with your parties and agreed upon. Goods now in your possession should be disposed of before any further shipment made. Wired you last Tuesday regarding tug and barges.

POOLE.

Betancourt and Godchaux had planned to leave Los Angeles on the night of October 10 for Calexico, but Betancourt, however, postponed the trip until the night of October 11 and then again to the 12th. Finally he and Godchaux left Los Angeles at 11.30 p. m. on the night of October 13 for Calexico. They arrived there at 7.45 a. m. October 14 and both registered at the Calexico Hotel in rooms 120 and 122.

Godchaux got away from Betancourt for a short while, and went to see Mr. Musgrave, Immigration Inspector in charge at Calexico, and told him that Betancourt and he would call within a short time to secure Betancourt's temporary permit card. Mr. Musgrave had also received confidential letters from Mr. Keep and Mr. Conaty which were written at my suggestion, in regard to issuing the permit card to Betancourt. Godchaux and Betancourt about noon of that day went to Mr. Musgrave's office and there secured their temporary passports.

They then returned to the hotel and Betancourt told Godchaux it was best for him to first go over into Mexicali and have a private preliminary interview with Cantu. Betancourt then immediately left for Mexicali and about 3 p. m. the same day returned to Calexico and told Godchaux that Cantu was sick and could receive no visitors that day, but he had made an engagement for Godchaux and himself to meet Gov. Cantu the following day, October 15, at noon.

Betancourt then told Godchaux that Gov. Cantu's private secretary, Mr. Ramon Guerrero, had accepted an invitation to eat dinner with them that

evening. Guerrero promptly kept his engagement, and at that time was introduced to Godchaux by Betancourt. At dinner Guerrero, Betancourt, and Godchaux arranged between themselves to secure a large additional profit on all arms and ammunition that they sold to Cantu. Guerrero then told Godchaux he would see him the next day at Gov. Cantu's office in Mexicala, and that there was no doubt but that they all would make a great deal of money out of these deals.

On October 15, at about 8.30 a. m., as Betancourt and Godchaux were coming out of the Hotel Calexico dining room, Betancourt said to Godchaux, wait a minute there is an old-time friend of mine and then went up to a Mexican, who Godchaux learned afterwards was Emilio Gonzales. Betancourt and Gonzales moved over to a corner of the lobby of the hotel, sat down and started a conversation which extended well over an hour. During that time Godchaux was watching them and noticed Betancourt was becoming very much excited and exceedingly nervous and that Gonzales was talking to Betancourt in a most earnest manner.

Betancourt after his conversation with Gonzales returned where Godchaux was waiting and told Godchaux that Gonzales had just told him (Betancourt) that all of their plans were fully known to the police and secret service people; furthermore, that Gonzales had positively told him a secret service friend of his (Gonzales') had stated the secret service even had photographic copies of all of the correspondence, contracts, etc., pertaining to the Godchaux-Betancourt arms and ammunition proposition.

Godchaux states Betancourt looked like a dead man at that time and was in every way in his actions, opinions, and conversations entirely a changed man from what he had been prior to his conversation with Gonzales. Godchaux tried to assure Betancourt of the fact that Gonzales' statements were absolutely incorrect and that it was utterly impossible for the secret service people to be aware of their negotiations for the arms and ammunition.

Betancourt, however, could not be reconciled as to their safety and said, "No; no; Gonzales knows what he is talking about and we are all going to get into serious trouble," and then said to Godchaux it will never do for you and I to be seen together at Calexico, therefore, you stay away from me and I will meet you later in my room.

Godchaux then asked him what about their engagement with Gov. Cantu for noon of that date, and Betancourt said, "That's off for to-day."

Later that day Betancourt met Godchaux in his room and asked him to telephone Calzado at Los Angeles that he, Godchaux, was leaving Calexico that night for Los Angeles. Betancourt then said, "Upon your arrival in Los Angeles explain the entire situation to Calzado and have Calzado come back to Calexico with you the following night, and then the three of us will go over to Mexicala and close the entire proposition up with Cantu."

Godchaux therefore telegraphed Calzado at follows:

CALEXICO, October 15, 1918.

EUSEBIO CALZADO,

1343 Albany Street, Los Angeles, Calif.:

Betancourt advises wait for me. Leaving to-night. Important see you.

P. M. GODCHAUX.

Godchaux also from Calexico, telegraphed me as follows:

CALEXICO, CALIF., October 14, 1918.

MIKE BROWN, No. 715,

Care New Hotel Rosslyn, Los Angeles, Calif.:

Received letters; expect see customers to-day; will advise further to-morrow.

PETE.

NILAND, CALIF., October 15, 1918.

CHAS. E. JONES,

Care New Rosslyn Hotel, Los Angeles, Calif.:

Party sick, unable to see him; important be Los Angeles to-morrow morning.

KATE.

Godchaux left Calexico that night and arrived in Los Angeles on the morning of October 16. My report of November 23, 1918, entitled "Re Eusebio Calzado, Mexican revolutionary leader, at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Pancho Villa," will give you full details regarding Godchaux's conversation with Calzado after he arrived in Los Angeles.

Godchaux states he feels fully satisfied of the fact that Betancourt simply wanted him to get out of Calexico as quickly as he could, notwithstanding the fact that Betancourt assured Godchaux of his being there upon his (Godchaux's) return to Calexico, and that Betancourt had fully made up his mind at that time as soon as Godchaux left he would take the next train out of Calexico, which as a matter of fact he did.

When Godchaux returned to Calexico on the morning of October 18, with Calzado, they found much to their surprise that Betancourt had left Calexico on the night of October 17 for Los Angeles and had arrived there on the morning of October 18.

My report of November 23, 1918, entitled "Confidential report re Rusevito Calzado, Mexican revolutionary leader at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Poncho Villa." On pages 5 to 10, inclusive, of that report will give you full particulars regarding all of the matters which happened after Calzado and Godchaux arrived in Calexico on the morning of October 18.

After Godchaux returned to Los Angeles and went to his hotel room, he telephoned Betancourt at room 523, Hayward Hotel, and made an engagement with him to meet him at Calzado's office as has been previously arranged with Calzado for 12:30 p. m., that day. Betancourt asked Godchaux at that time if Calzado was at his office or residence at that moment, and Godchaux said presumably at his residence.

Godchaux therefore at noon on October 20 met Betancourt and Calzado at Calzado's office, 838 Title Insurance Building. Calzado told him he had seen Betancourt at 10:30 a. m. that morning and that he and Betancourt had a very extensive conversation in regard to the arms and ammunition proposition, likewise in regard to their negotiations with Cantu.

Godchaux then immediately realized that Betancourt had thoroughly impregnated Calzado with the same fear that he (Betancourt) had regarding the fact that the secret-service people were after Betancourt and Godchaux as per information given to Betancourt regarding this matter by Emilio Gonzales, who had told Betancourt at Calexico that a secret-service friend of his (Gonzales) had told him they knew all about the entire Betancourt-Godchaux negotiations and even had seen photographic copies of a great deal of Betancourt's correspondence regarding these matters.

Godchaux could see at that moment that Calzado was a changed man and was exceedingly nervous and apparently very much frightened over the entire situation and repeatedly walked up and down his office and said: "My God! this is dreadful: it will simply ruin everything we have planned."

Godchaux states that Calzado had a most extreme case of nervousness and fright regarding this matter, and closed up like a clam regarding the entire matter and said: "We will have to drop this matter for the time being; furthermore, all of us if we are brought before the authorities must swear there is absolutely nothing in this matter and we have never discussed arms and ammunition." Calzado then said: "I am going to deny to the bitter end that I ever went to Calexico."

Godchaux then made an engagement to see Betancourt and Calzado that evening and later took Calzado and his lover at 8:15 p. m. to the Victor Hugo restaurant. Godchaux at that time for over two hours attempted to ease Calzado's mind in regard to their being any danger and furthermore told him it was utterly impossible for Emilio Gonzales to have ever received such information as he in turn had passed on to Betancourt regarding the secret service people being fully aware of their plans, etc.

Godchaux at that time asked Calzado who Emilio Gonzales was, and Calzado told him Gonzales was a very prominent Mexican lawyer, who had many influential friends and there was no doubt in his mind but that if Gonzales told Betancourt he had received information through a secret service friend of his that they were thoroughly familiar with the entire Betancourt-Godchaux-Cantu proposition, that he, Calzado, could bet his life that Gonzales was absolutely correct in regard to the information he had given to Betancourt.

On October 21 at 10 o'clock a. m., Godchaux met Calzado, and Betancourt at Calzado's office for a definite answer in regard to the entire arms and ammunition proposition. Godchaux states that Calzado at that meeting was as much frightened and nervous about the entire matter as he previously had been, and that Betancourt was in every way all together different in his actions, talk, and opinion regarding the arms and ammunition matter. Betancourt then said, "Remember all of us have to stick together and deny forever that any such a deal existed."

Godchaux then fully realized that due to the fright which had been thrown into Betancourt by Emilio Gonzales at Calexico regarding the fact that the secret service people and the United States knew about the entire matter, that Betancourt therefore had made up his mind to, if possible, sacrifice everybody else and save himself, and that Calzado who in turn had been badly frightened by Betancourt likewise intended to do the same. They also said, we have to take to cover now and drop this deal forever.

Betancourt also at the start of the conversation treated Godchaux in a very cold manner, and seemed to blame him for the entire matter. Godchaux then asked Betancourt where do you suppose I am going to get off regarding this matter with my principals? Furthermore, you have dragged me around the country for about six months on this deal promising this, that, or the other thing, and you have never complied with any parts of your proposition, and in addition to that, if you are involved with the authorities, so am I.

Godchaux states his idea in making that remark to Betancourt was to learn positively if Betancourt and Calzado were really sincere in regard to their changed ideas and attitude regarding their arms and ammunition deal.

Betancourt then said to Godchaux: "It is true I am not complying with my agreements, but after having received that information from Gonzales it looks like jail for me, and I am going to save myself irrespective of who else gets saved or not." He then said to Godchaux: "Where are all of the contracts, papers, documents, etc., pertaining to these deals which I have signed and which are in your possession?" Betancourt then also said: "I want all of those papers and contracts back, for I would not be able to sleep any more as long as I knew they were out of my hands." Godchaux told him they were in his possession in a safety deposit box at the Alexandria Hotel. Betancourt and Calzado then said: "Let's go over to the hotel and get those papers at once."

Godchaux said: "No, that can't be done, for these are papers and documents that belong to my principals and I am not going to give them back to you until I am so authorized to do so by Mr. Poole." At that moment when Godchaux refused to surrender these papers, Betancourt, so Godchaux states, had a brain storm, jumped up and yelled out, he would get those papers if he had to choke them out of Godchaux, and started over to Godchaux, who then got out of his chair, backed into a corner, and told Betancourt, "You try to put your hand on me and I will kill you."

Godchaux realizing that everything was up as far as Betancourt and his associates were concerned, and nothing more could be done with them, so he tells me. He then backed out of Calzado's office and told both Calzado and Betancourt: "Go to hell; if you try to start anything with me, I will bump the pair of you off." Betancourt at that moment started toward the door, so Godchaux states, and Godchaux lifted his coat, which allowed Betancourt to see he had a gun in each hip pocket, and told Betancourt: "You can't bluff me; try jumping on me and you will get hurt."

Godchaux then left the building and late that afternoon Calzado telephoned him and said: "Old man, you are not sore at me, are you, for its not my fault," and also said that Betancourt was crazy, and he and Betancourt would be willing to give Godchaux \$600 for the papers and contracts, and made an engagement to meet Godchaux at his, Calzado's office, at 3.30 that afternoon. Godchaux, however, at my suggestion, did not keep his engagement with Calzado.

On October 22 Calzado telephoned Godchaux at the Alexandria Hotel, and at that time told him it was the best thing for everybody to settle the entire matter amiable and for Godchaux not to stay mad at him. Calzado then told Godchaux, "We will pay all of the expenses you have had in regard to those negotiations," and asked Godchaux what it amounted to. Godchaux told him about \$1,200, and Calzado said: "All right, we will arrange that, and you will turn all of Betancourt's papers over for that amount." Godchaux said only after he had put their proposition up to Mr. Poole.

At about 2.30 p. m. October 23 after I had checked out of the New Rosalyn Hotel and went by the Alexandria Hotel to get Godchaux to go to the depot as we had intended to leave Los Angeles that afternoon at 4.00 p. m., and just as I got into Godchaux's room the telephone rang and I answered it and found that Mr. Dennison was on the telephone. He told me a very important matter had come up and asked me to immediately come down to Mr. Keep's office. I told Godchaux to wait for me in the lobby of the hotel, jumped into a taxicab and went to Mr. Keep's office and found Mr. Dennison waiting there for me.

He told me that about an hour before he telephoned me he had received a request from Assistant United States Attorney Palmer to come to his office, and that when he (Dennison) arrived there he found Mr. Palmer in consultation with Betancourt, Calzado, and Ben Hunter, who said he was their attorney. Mr. Palmer introduced Dennison to these three men and stated that Betancourt had entered into a contract with P. M. Godechaux for the delivery of arms and ammunition, which he did not know was illegal, and that his attorney, Mr. Hunter, told him it was, and recommended to him that he confess to the authorities regarding the entire matter and by doing so gain immunity for himself.

Mr. Dennison called Mr. Palmer out of the office and explained Godechaux's connection with this proposition.

Mr. Dennison's report of October 24 regarding Calzado and Betancourt will give you additional information regarding this matter.

After I arrived at Mr. Keep's office, Mr. Dennison, Mr. Keep, and myself conferred with Assistant United States Attorney O'Connors and Assistant United States Attorney Palmer. I explained to these gentlemen the entire circumstances in regard to Godechaux's connections with this case, and they asked me what should be done in regard to Betancourt and Calzado. I then suggested that Mr. Dennison make complete reports to your department regarding the entire matter up to that moment and thereafter as these matters developed.

Likewise told them regarding what should be done with Betancourt, Calzado, and their associates I believed was a matter that should be passed on by Chief Bielaski or the Attorney General's Office at Washington, due to the fact that no prosecution against these Mexicans should be started on account of other matters which might interfere with the ideas of the State Department regarding various Mexican revolutionary affairs. It was therefore agreed between all of us to let the case against these Mexicans rest pending instructions from Washington regarding same.

I then suggested to Mr. Dennison that he immediately get in touch with Betancourt and Calzado, and dig out of them all of the additional information he could secure, and made arrangements to meet Mr. Dennison at Godechaux's room at the Alexandria Hotel between 4.30 and 5.00 p. m.

Then returned to Godechaux's room at the Alexandria Hotel. He told me that in the meanwhile Betancourt and Calzado had seen him and asked him to call at Calzado's office around 5 o'clock that afternoon, for they wanted to give Godechaux twelve or fifteen hundred dollars for the papers and contracts pertaining to the expenses caused by arms and ammunition contract deal.

Mr. Dennison in the meanwhile arrived at Godechaux's room, and we agreed that it would be best for Godechaux to keep his engagement at Calzado's office. While Godechaux was waiting for them in the hallway outside of Calzado's office Betancourt showed up, and Godechaux asked him what he meant by turning him (Godechaux) up to the authorities. Betancourt indignantly denied that he had seen the authorities and claimed to know nothing about it; likewise said Calzado had done nothing of the kind. He assumed at that time a most friendly and cordial attitude toward Godechaux, and again told him he wanted to buy the papers and would meet him (Godechaux) the next morning around 10 o'clock.

Godechaux then returned to his room at the Alexandria Hotel, where Mr. Dennison and I were waiting for him. I then suggested to Mr. Dennison that he telephone Calzado and Betancourt, get them together, and secure from them any additional information he could. Later that evening Mr. Dennison got in touch with Betancourt and Godechaux and had an interview with them, which lasted for several hours, and secured from them the statements and information mentioned in his report of October 23, 1918, entitled "Re Fiacro Betancourt and E. Calzado, Mexican Revolutionary Activities."

Mr. Dennison returned to Godechaux's room at the Alexandria Hotel at midnight and related to me all of the information he had secured from Betancourt, including the personal remarks expressed by Betancourt regarding myself, likewise the information he had secured from Betancourt in regard to the statement made by Emilio Gonzales about having received information from secret-service friend of his as to Betancourt's and Godechaux's revolutionary activities; also regarding the statement made by Betancourt in regard to the cooperation extended to him and his associates by Mr. Brennan and Maj. Barnes, of San Antonio, Tex.

I suggested to Mr. Dennison that he immediately render complete reports to your department regarding all of these matters and continue to follow the case up until completed.

It was then decided between Dennison and myself that, irrespective of the positive willingness of Betancourt and Calzado, as they expressed same to Mr. Dennison in regard to them paying Godchaux twelve or fifteen hundred dollars for the arms and ammunition contracts and papers, that it would be best for Godchaux not to accept same, likewise not to turn loose to them.

Godchaux, on the morning of October 24, did not keep his appointment with Betancourt at the Citizen's National Bank Building for 10 a. m., at which time Betancourt was to have paid Godchaux the money for the papers. Godchaux, however, telephoned Betancourt on or about that time and told him that if Betancourt wanted the papers, then in that event write him at New Orleans, or have his attorney do so in regard to this matter.

In Mr. Dennison's report of October 23, regarding Betancourt and Calzado, I noticed remarks made by Betancourt to Mr. Dennison regarding myself. He, however, when Mr. Dennison nailed him down to facts, could not remember names, dates, or places regarding various Mexicans whom Betancourt stated I had taken advantage of.

When Mr. Dennison first told me that Betancourt knew I was in Los Angeles, and that he had taken a pass at me in his conversation, I then requested Mr. Dennison to pip Betancourt down to facts, and if possible get him to give complete statement in regard to myself, which Mr. Dennison apparently did as per his report.

The original feeling of bitterness between Betancourt and myself goes back to May 21, 1917, which arose at that time, due to the fact that Guillermo Castillo Najera was the right-hand gunman for George Warden, Betancourt, and their crowd. Najera was arrested with Ramon Diaz and three or four other Mexicans by agents of your department when they arrived at the port of New Orleans May 21, 1917, on the steamship *Surname*. They were placed in the immigration station, and a few days after they arrived here, each of them, as mentioned in my reports at that time, became suspicious of each other and they all finally paired off, each pair fighting the other.

Inasmuch as it was my work to stick in with Ramon Diaz and Alfonso Noyola I therefore did so and took up their side of the factional fight, which had arisen between the Mexicans mentioned. This resulted, as my reports show at that time, in Guillermo Castillo Najera and all of his friends and associates becoming sore at me, among which were Betancourt and Warden.

You will remember from my previous reports that when Najera was interned at the immigration station a very stiff fight was put up at Washington by a Mr. Chambers, his attorney from San Antonio to secure his release, and due to the fact that Najera had stated he proposed to kill Ramon Diaz and myself just as soon as he got out of the immigration station and as Diaz was afraid of him, and to please Diaz, also rather than have me kill him when he did get out, I took the Najera case up with several Congressmen and Senators at Washington as an offset with the Immigration Department to oppose the request of several other Congressmen and Senators whom Chambers had brought into the case. These Congressmen and Senators whom I had were simply asking at my request that the immigration authorities comply with the law regarding Najera's case. This was finally done and Najera was ordered deported. He, however, was allowed to remain in this country under a \$2,000 surety bond, guaranteeing his deportation at the end of 12 months.

It was Betancourt, Warden, and other associates of Najera who at that time were trying to start the Rudolfo-Reyes Mexican revolutionary movement, who employed Chambers who formerly was a member of the law firm of Watson, Chambers & Reyes of San Antonio, Tex.

During the time this fight was going on over Najera I told both Warden and Betancourt that I had heard they were also interested in getting even with me for fighting Najera and that they better keep their hands out of that affair. They both denied they were mixed up in helping Najera, and assured me of their friendship, which I, of course, knew was a lie.

Betancourt from that time on while on the surface at all times was friendly, nevertheless he has been ever since then very bitter in his ideas and remarks about me.

My reports of May, June, July, and August, 1917, regarding Ramon Diaz, Guillermo Castillo Najera, and others will give you full information regarding this matter.

On page four of the testimony of the immigration board of special inquiry held at the immigration station, New Orleans, La., July 23, 1917, the following sworn testimony was given by Charles M. Chambers of San Antonio, Tex., in the interest of Najera:

"Q. Do you know Mr. Jones?—A. No; only I have heard of him since being employed in the case of Guillermo Castillo Najera.

"Q. Do you know what business he is in?—A. I do not know Mr. Jones personally, nor do I know his business, except from information received by letter from Hon. Eugene Black, Member of Congress, now in Washington, of date July 17, 1917, who stated to me in said letter that he ascertained from the commissioner that a man by the name of Jones was taking the leading part in insisting he (meaning Najera) be deported and that the commissioner said Jones was a newspaper man.

Your department is in possession of complete official copy of the above-mentioned testimony, which I sent forward at that time.

The testimony of Najera, Chambers, and of all of their own witnesses show that they attempted to have Ramon Diaz deported on account of his moral and revolutionary reputation.

If Betancourt or any of his associates could say more than has been said about me by Mexicans and Central Americans, and some Americans whose plans I have helped to spoil, in that event it would be necessary for them to have the vocabulary of Webster.

Irrespective of knowingly putting myself in a false position, criticisms, knocks, false statements, or many threats to assassinate me that your department is aware of, I have, as your department knows, at a considerable personal financial loss to myself, always gone the limit to produce results in my work regarding Mexican, Central American, and other affairs for your department.

I personally feel about such matters as President Lincoln must have, when he said:

"If I were to try to read, much less answer, all the attacks made on me, this shop might as well be closed for any other business. I do the best I know how, the very best I can, and I mean to keep on doing it to the end. If the end brings me out right, what is said against me will not amount to anything. If the end brings me out wrong, 10 angels swearing I was right would make no difference."

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Eusevio Calzado, Mexican revolutionary leader at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Pancho Villa.

NEW ORLEANS, LA., November 23, 1918.

On October 14 I asked Mr. Keep, special agent in charge of your Los Angeles office, if he had any information pertaining to Calzado. He told me his office had no file or information pertaining to this party.

Prior to my arrival in Los Angeles, Calif., on October 6, 1918, had heard a great deal about Calzado and his activities with various Mexican revolutionary parties during the last several years on various parts of the border.

At the time I was active and friendly with many of the leaders of the Villista revolutionary movement several years ago, at that time first heard of Calzado. Up till October 8, 1918, I however, had never seen Calzado, and he likewise to this date personally does not know me.

On October 8 at about 2 p. m. Martin de Leon, ex-Mexican revolutionary agent at Tampico, Mexico, who has been mentioned in my previous reports, accompanied by Betancourt and Godechaux, called at the office of Calzado and Godechaux was at that time introduced to Calzado. From that time on I keep in very close touch with the activities of Calzado through Godechaux, as is fully covered in my report of October 23, under the heading: "Continuation report re F. R. Betancourt and his Mexican revolutionary activities."

On October 14 at about 2.30 p. m. I was at the office of Mr. J. A. Conaty, immigration inspector in charge at Los Angeles, who pointed to a Mexican standing in an outer office, and said, "Do you know that party?" and I told him I did not. Conaty then said his name was Calzado and that he (Calzado) had just presented to him (Conaty) a telegram signed Bielaski, which Calzado had endeavored to use on Conaty to force him to issue a temporary permit card so Calzado could cross into Mexico.

Conaty then told me that Calzado had told him he was a warm personal friend of Bielaski's; furthermore had and was doing confidential work for Mr. Bielaski on the border, and at and around Los Angeles. I questioned Conaty very closely regarding the statements he said Calzado had made as

mentioned, and Conaty stuck to his statement about what Calzado had said. I then asked Conaty if Calzado from his talk and action had given him the impression that he was a confidential representative of Mr. Bielaski or of the Department of Justice, and Conaty said he certainly did.

In so much as I had previously asked Mr. Keep if he knew of Calzado, or anything about him, and Mr. Keep said he did not; therefore felt sure of the fact that if Calzado was a confidential informant or representative of Mr. Bielaski that Mr. Keep would know of it. Therefore suggested to Conaty that he take Calzado into another office, and detain him in conversation until I telephoned Mr. Keep's office regarding this matter.

Immediately then telephoned Mr. Keep's office, and got Mr. Dennison, Mr. Keep's assistant, on the telephone, and asked him to step down to Conaty's office for a moment. Dennison immediately came down to Conaty's office, and I explained the situation to him; likewise in the presence of Conaty repeated to Dennison the statements Conaty had said Calzado had made to him and Conaty confirmed Calzado's remarks to Dennison.

Mr. Dennison, then asked me what ought to be done, and I suggested to him to immediately wire Mr. Bielaski explaining the entire circumstances regarding Calzado, and the claims he had made. Mr. Dennison then telegraphed Chief Bielaski, and on October 16 Mr. Dennison showed me copy of Chief Bielaski's wire to Mr. Keep regarding Calzado, which proved, as I already had known, that Calzado's statements to Conaty were simply the customary Mexican lies.

Calzado in his several conversations with Conaty endeavored to use Chief Bielaski's name, and the telegrams he had received from him; likewise his alleged employment as a representative of Chief Bielaski to intimidate Conaty into issuing him a temporary permit card to visit Mexico.

Calzado was born on October 14, 1875, at Saltillo, Coahuila, Mexico. His mother, Mrs. Santos Barrero Calzado, is now living at Galveston, Tex. Calzado entered the United States during October, 1914, at El Paso, Tex., and in 1914, 1915, 1916, 1917, and to date 1918 claims to have resided at Los Angeles, Calif., with the exception of about six months during 1916, when he lived at Galveston, Tex.

He claims to be 42 years of age, in height is about 5 feet 8 inches, weighs 125 to 130 pounds, eyes hazel in color, hair black, complexion dark, clean shaven, has a square chin, face and nose regular, but face thin and cheeks inclined to be sunken, has false teeth in front showing gold bands on bridge.

He is the lover and is alleged to be living with the divorced wife of a chocolate manufacturer of San Francisco, Calif., whose marriage name is alleged to have been Mrs. Gerribelli. Calzado lives at the same house this woman does, located at 1343 Albany Street, Los Angeles, Calif.; telephone 21486 or 65275. She is a small blonde, blue eyes, scars on lower part of throat, dresses fashionably and in an extremely loud manner, is a loud talker, and drinks and smokes in public.

Calzado's office is at 838 Title Insurance Building, Los Angeles, Calif., and he represents himself as being a mining engineer and oil operator. His office is very poorly furnished and has but very little office equipment in same.

Understand that Calzado's attorney and close associate is alleged to be O. D. Bennett, Security Bank Building, Los Angeles, Calif. He is likewise alleged to have a friend in James Spence, one of the minor officials of the Los Angeles Trust & Savings Bank.

At my request Mr. Dennison, of your Los Angeles office, after I had learned where Calzado banked, secured for me the following report from the Los Angeles Trust & Savings Bank regarding Calzado:

"Called at the Los Angeles Trust & Savings Bank and find that up until October 10 subject's account did not amount to much, never more than a few hundred dollars, but on October 10 subject deposited a draft signed by _____, on _____, New York, payable to himself for \$10,000. Subject at once drew a draft for \$5,000, to whom the bank was unable to state at this time, but will try to ascertain for us.

"On October 11 subject drew another draft of \$2,550, payable to Santos Calzada. He, subject, has had an account in this bank for about four years. He is thought to be in the mining business in Lower California. He was introduced to the bank by the State Bank & Trust Co., of San Antonio, Tex., and was also introduced by Mr. A. F. Naftzger, of Riverside, Calif.

"Checks with which he opened this account were drawn on the _____, Mr. Naftzger, in introducing subject to the bank, stated that he had known

him long and favorably; that he was interested in large financial operations in Mexico, and that at some future date his account would be a profitable one. So far as the bank records show, the checks they have on hand drawn by this subject are all in rather small amounts, nothing over \$150. and payable to various merchants about the town, the telephone company, etc., and a number of \$25 checks to himself."

In checking up Calzado through Godchaux, who had for a period of nearly two weeks many conversations with Godchaux, who likewise lavishly entertained him and his lover and other friends of his, and who likewise, on my instructions, flattered him in regard to his importance as a Mexican revolutionary leader, secured for me in that way a great deal of information from Calzado regarding himself and other Mexican revolutionists. Calzado apparently is exceedingly vain as to his own ability, standing, etc., in Mexican revolutionary affairs.

As mentioned hereinbefore, Godchaux was first introduced to Calzado by Martin de Leon and Betancourt, at Calzado's office, 848 Title Insurance Building, on October 8, and at that time Godchaux told Calzado that he himself was also an oil operator, and that his several principals in New York would be very much interested in the possibilities of oil investment opportunities in Mexico. Calzado, thinking he undoubtedly had a live fish on his line, immediately began opening up to Godchaux regarding his (Calzado's) importance and influence with many prominent Mexicans and Americans.

Godchaux was constantly with Calzado from that time on. Godchaux, on October 11, with Betancourt, Martin de Leon, and Calzado, were to go to San Diego by automobile with Samuel Vasquez, Mexican consul of San Diego. Vasquez, however, was unable to make the trip, and it was therefore postponed.

On October 13, 1918, Godchaux went to Calexico with Betancourt, and on October 15, 1918, as fully covered in my report of October 23, 1918, entitled: "Re F. R. Betancourt and his Mexican revolutionary activities," Godchaux returned to Los Angeles, at Betancourt's request, to get Calzado and have him return to Calexico with Godchaux.

In so much as it was part of the arrangements between Godchaux and Betancourt to have Calzado go to Mexicali, Mexico, to see Gov. Cantu with them, and in so much as Calzado had not been able to secure a temporary permit card to cross the border, I therefore, on October 14, arranged, with the assistance of Mr. Keep and Mr. Conaty, to have it appear as if Godchaux, through the influence of Mr. Poole at New York, had fixed things at the State Department whereby the State Department had wired Conaty to issue a temporary permit card for Calzado. This was done and seemed to make quite an impression on Calzado in regard to the influence of Godchaux and his principals.

After Godchaux reached Calexico with Betancourt on October 14, 1918, he immediately, as mentioned in my report of October 23, 1918, regarding Betancourt, requested Godchaux to telephone Calzado at Los Angeles that he, Godchaux, was leaving there for Los Angeles to see Calzado. Godchaux, however, telegraphed Calzado from Calexico via Western Union Telegraph as follows:

CALEXICO, October 15, 1918.

ENCERIO CALZADO,

1343 Albany Street, Los Angeles, Calif.:

Betancourt advises wait for me. Leaving to-night. Important see you.

P. M. GODCHAUX.

Godchaux then left Calexico on October 15 at 7.30 p. m. and arrived in Los Angeles at 7.45 a. m. October 16. He immediately telephoned Calzado at his residence and made engagement to meet him at his office at 10 a. m. Godchaux then fully explained the situation which had arisen at Calexico regarding the statements made by Emilio Gonzales to Betancourt about the United States Secret Service being wise to the entire Betancourt transaction, and which had greatly frightened Betancourt, as fully covered in my report of October 23, 1918, under the heading of "Confidential report re F. R. Betancourt and his Mexican revolutionary activities."

Calzado at that time seemed to be very much put out about Betancourt ever having gone to Calexico to take the arms and ammunition deal up with Gov. Cantu without he, Calzado, having been with them. Calzado then opened up and spoke very frankly about his entire revolutionary connections and ability to handle any and all revolutionary matters, and told Godchaux that he, Calzado, was in reality one of the most successful Mexican revolutionists that Mexico had ever known from the original Madero revolution to date.

Calzado at that time also told Godchaux that he, with Raul Madero, Gen. Angeles, Diaz Lombardo, and a few others, had been and was even to this day the real brains behind the Villa movement. He also told Godchaux that he, Calzado, had been Villa's chief of transportation, and even to this date was on close and intimate terms with Villa and his various leaders, and always had been and would be a Villista. Likewise he was thoroughly familiar with all of Villa's present plans, etc. He then showed Godchaux several photographs of himself with some of the Villistas.

He then explained to Godchaux that he knew all along about the Poole-Godchaux transaction, which first started in April and May, 1918, and that he, Calzado, had made a special trip to San Antonio, Tex., during May, 1918, to see these contracts and to fully discuss the entire proposed transaction with Betancourt, Warden, and others of their associates. Godchaux also learned from Calzado at that time that he, Calzado, had been largely instrumental, so he claims, in influencing Gen. Estaban Cantu, Mexican governor of Lower California, in entering into a combination consisting of nearly all of the different Mexican revolutionary factions, whereby Cantu was to head the movement to overthrow Carranza.

Godchaux asked Calzado at that time if Cantu was friendly with Gen. Obregon, and Calzado said Cantu was playing with Obregon but at heart has no use for him and at the proper time would double-cross him and throw the hooks into him in every way he possibly could.

Godchaux at this conversation learned from Calzado that he and several of his associates had been assured of the support of the United States from Chief Bielaski of the Department of Justice and others connected with the United States Government at Washington, and this support in every way possible would be extended to Cantu, Calzado, and their associates whenever they were ready to strike in their attempt to overthrow Carranza.

Godchaux states that Calzado then patted himself on the chest, and gave him to understand that he, Calzado, would be the biggest man in Mexico because he had negotiated things in Washington for Cantu and their revolutionary movement.

Godchaux flattered Calzado along at that time about his importance, ability, etc., all of which he scientifically ate up. Godchaux likewise learned from him that inasmuch as Calzado did not care for anything except money he could make for himself and associates out of any Mexican affairs, and that he, Calzado, as a matter of fact, did not care whether they ever could or would do anything of importance for the United States or not, and they really only expected to use the good offices of those with whom they have talked in Washington to benefit their own plans. Calzado said to hell with everybody but ourselves, and while we promised much to the officials in Washington, nevertheless, what we promise and what they get is altogether a horse of a different color.

Calzado at this time stated Betancourt was a nice fellow, but egotistical, had no guts, and had never been cut out for a leader, irrespective of the fact that Betancourt has and was endeavoring to consider himself a leader, and that as far as Gov. Cantu and other Mexican revolutionary leaders were concerned, they all knew Betancourt, and none of them took him seriously. Furthermore, that Betancourt was a woman chaser, and in the end, if given plenty of rope, always balled everything up.

Inasmuch as Calzado had fallen down in his attempt to secure a permit card to cross into Mexico at Calxico, through Chief Bielaski or from Corby as mentioned in paragraphs 5 and 6, page 1, of this report, and as it was necessary for Godchaux to have Calzado in Mexicala when he saw Gov. Cantu, therefore, Godchaux told him that possibly Mr. Poole could, through his political influence, secure a permit card for him.

Godchaux, therefore, on October 16, after Calzado had read same, sent via Western Union the following telegram to Mr. Poole:

LOS ANGELES, October 16, 1918.

J. S. POOLE,

Hotel Waldorf-Astoria, New York City, N. Y.:

Had to return here this morning to secure advice and services experienced mining engineer, who is absolutely necessary to use to successfully handle business, therefore important. Immediately request State Department issue temporary permit card for at least four days in name Eusebio Calzado to

visit Mexico from Calexico. Dislike very much to bother you again regarding permit, but absolutely necessary to do so. Want permit card be issued if possible not later than October 17.

P. M. GODCHAUX.

Through the cooperation Mr. Keep, at my suggestion Godechaux received via the Western Union on October 17 the following phony telegram:

NEW YORK, N. Y., October 17, 1918.

P. M. GODCHAUX,

Hotel Alexandria, Los Angeles, Calif.:

Replying your night lettergram October 16, have arranged through Senator friend who has advised me that the State Department has wired immigration officials at Los Angeles instructing them to immediately issue permit card to mining engineer mentioned your telegram. Again refer you to my telegram October 16 regarding New Orleans merchandise.

When the above telegram was shown to Calzado it seemed to make quite an impression on him.

I then saw Conaty, explained the matter to him, and at my request he issued a temporary permit card to Calzado.

Calzado then arranged with Godechaux for them to leave for Calexico on the night of October 17. Godechaux and he left Los Angeles on that date at 7.45 p. m. and arrived at Calexico at 7.30 a. m. October 18, and registered at the Calexico Hotel.

On the morning of October 18, after Calzado and Godechaux arrived at the Hotel Calexico, they learned that Betancourt had left Calexico on the night of October 17 for Los Angeles, and therefore had not waited in Calexico for the arrival of Calzado and Godechaux, as per previous arrangements.

At this time Calzado told Godechaux not to let Betancourt or any of the others know that he (Calzado) had secured a temporary permit card to cross into Mexico through the influence of Godechaux, for he wanted his Mexican acquaintances to believe he had secured this permit card through his own personal influence at Washington.

On October 18 at 10 a. m. Godechaux and Calzado left Calexico for Mexicali. Upon their arrival in Mexicali Godechaux was introduced to Mr. Barera, secretary of state for Lower California, whose office is an anteroom of Gen. Cantu's, and a few moments later Calzado and Godechaux were taken into Gov. Cantu's office, where they saw Mr. Guerrero, the private secretary of Gov. Cantu, who Godechaux had previously met on his first visit to Mexicali with Betancourt. Godechaux at 10.30 a. m. was then introduced to Gov. Cantu, and at that time presented the arms and ammunition proposition, through Calzado, to Gov. Cantu.

After a conference of about two hours Gov. Cantu, who was very much interested at all times in the arms and ammunition proposition and who told Godechaux at that time he could use from one to ten million 7 mm. cartridges, also 1,500 rifles or carbines and from 15 to 20 automatic machine guns at the prices mentioned in Godechaux's phony letter of September 30, 1918, to Mr. Poole, which was shown to Gov. Cantu. This letter was prepared in advance and was as follows:

Letter addressed to Washington, D. C., and New York City, respectively.

SEPTEMBER 30, 1918.

Mr. J. S. POOLE.

MY DEAR SIR AND FRIEND: Have just arrived in Los Angeles, after spending a few days at San Antonio to talk over business matters with my friends there.

They have suggested that, in so far as the volume of business that can be done here and in Lower California will be very large, I give them by way of a letter from you in which some guaranty as to my ability and likewise your assuredness of being able to sell them the following goods f. o. b. Lower California, as per listed price and quantity: 10,000,000 30.30 cartridges, at \$50 per thousand; 10,000,000 7-mm. cartridges, at \$54 per thousand; 3,000 30.30 Winchester rifles (carbine), at \$16 each; 10 or more 7-mm. Colts machine guns, at \$1,000 each.

Immediately upon receipt of this letter kindly advise me accordingly.

I feel certain that these gentlemen now mean business and that with my cooperation can see no reason why we should not close some satisfactory deal.

I will write you fully concerning the past transactions relative to the goods on hand, and assure you that by not having consummated same it has been a great loss to both you as well as them. Am writing somewhat in haste, wanting this letter to leave to-day, therefore pardon briefness.

Believe me, as ever,

Yours, very truly,

P. M. GODCHAUX.

Cantu told Godchaux he intended to head the largest revolutionary movement Mexico ever had had and that he had gradually been perfecting his plans for the last year along these lines, and through his combination with Manuel Pelaez in the south, Villa in the central of Mexico, and with a complete perfected organization along the border, that when he, Cantu, started his movement within the next three to six months they would sweep everything from the border down on into Mexico.

Cantu then gave Godchaux to understand that he had positive assurances from prominent American friends of his that the United States Government would corporate with him to the extreme limit, and at no time would the United States Secret Service interfere with his revolutionary activities. As an illustration of his power with the United States Government officials he said "Why they have even allowed me many times to secure arms and ammunition out of the United States."

Godchaux then asked Cantu how he expected to get these arms and ammunition into Mexico and Cantu said, "I want the goods in car-load lots, and inasmuch as the United States guards at Calexico are my friends and for me and as the United States is also for me, therefore in car-load lots these goods can be brought into my territory via Calexico and I will then ship them from Mexicali, in bond back to the United States, to Mexican towns across from Eagle Pass, Laredo, Brownsville, and El Paso, Tex., and by the time these goods reach the Mexican towns across from the American towns mentioned our revolutionary leaders will at the same time be prepared to seize these towns."

When it came down to the question of terms and conditions regarding payment of these goods Cantu told Godchaux, that the entire details would be in the hands of Mr. Barera and Mr. Guerrero, and they in turn would handle their negotiations with Godchaux and Calzado. These three parties then assured Godchaux of the fact that they had and could get any amount of money they wanted to purchase these goods.

Prior to Godchaux's introduction to Cantu, Calzado told him he would have to arrange to fix the matter up as far as profit and graft was concerned so Barera and Guerrero could get this.

On October 18 Calzado, Barera, and Godchaux had supper together in a Mexican restaurant, and at that time it was agreed between the three of them that they would stick an extra profit of \$5 per 1,000 on the cartridges, and the same price on each rifle and carbine for themselves on all such goods sold to Cantu or his associates, also that Godchaux and Poole were to let Calzado and Barera in on their profits.

After Godchaux's first conference with Cantu, and the other parties mentioned hereinbefore, it was agreed that during the following week they were to return to Calexico to consummate the deal or at least part of same.

On the afternoon of October 18, Godchaux, Calzado, Barera, Guerrero, and another Mexican by the name of Antonio Elosua, of San Diego, Calif., went riding in a seven-passenger automobile driven by the youngest son of Pablo Dato, who is the father-in-law of Gov. Cantu. They drove out to a cotton plantation belonging to the Dato family about 5 miles from Mexicali, in Mexico. This cotton plantation follows a little canal or water ditch close along the international dividing line between California and Mexico. Several points along this ditch or canal was shown to Godchaux as the places where Calzado said he and other friends of Cantu had several times during the last year run over quantities of ammunition for Cantu.

On October 19 Godchaux and Calzado again went to Mexicali, and Calzado told him that it was best for he, Calzado, to have a private talk with Cantu. Godchaux therefore waited for Calzado in the outer office of Cantu's place, and after Calzado came out of Cantu's office they then returned to Calexico. Calzado stated Cantu was very much impressed with Godchaux's proposition and his ability to handle arms and ammunition deals for them.

Calzado, when he first arrived in Calexico, on the morning of October 18, learned that Betancourt had returned in the meanwhile to Los Angeles. He

was very much put out about it and was in a deathly hurry to get back to Los Angeles to see Betancourt. Therefore on the night of October 19 Calzado and Godchaux left Calexico at 7.30 p. m. and arrived in Los Angeles at 7.45 a. m. October 20, and registered at the Alexandria Hotel.

On the trip up to Los Angeles on the night of October 19 Calzado was very much elated over their prospects, and said if they stuck together that he and Godchaux could make several hundreds of thousands of dollars out of the revolution by becoming purchasing agents for all of Cantu's arms, ammunition, and other supplies.

Godchaux at that time, as previously mentioned herein, lead Calzado on regarding Cantu, and Calzado said Cantu was a very good fellow, but had very little ability and would never have amounted to a dam if it had not been for his father-in-law, Pablo Dato, and that in reality Pablo Dato was the entire brains behind Cantu. Furthermore, that Dato had planned with him, Calzado, and his other associates, practically all of the revolutionary movements and that Dato was the man they not only had to fear but to please, and that if any man ever controlled another man Dato certainly had Cantu and everybody around him under his thumb. He also said that he (Calzado) was on very intimate and friendly terms with Pablo Dato, who had a great deal of confidence in his, Calzado's, ability.

Godchaux on this trip to Calexico secured from Calzado and others a great deal of valuable information regarding Cantu, Dato, and others, which is fully covered in my report of November 23, entitled: "Continuation report September 4, 1918, re participation of Col. Estagan Cantu, Mexican governor of Lower California, in Mexican revolutionary activities, and his connection with Pablo Dato, sr., alien enemy and real power and brains behind Cantu."

After Calzado and Godchaux arrived in Los Angeles on the morning of October 20 Calzado up to that moment when Godchaux told him good-bye, and made an engagement to meet him at his office at noon of that day. Calzado could not, so Godchaux states, have been more friendly, intimate, or frank regarding the plans, etc., of the revolutionists.

After Godchaux arrived at his hotel he telephoned Betancourt at Room 523, Hayward Hotel, and made an engagement with Betancourt to meet him at Calzado's office as previously arranged with Calzado for 12.30 p. m. that day. Betancourt asked Godchaux at that time if Calzado was at his office or residence at that moment, and Godchaux said presumably at his residence.

Godchaux therefore at noon on October 20 met Betancourt and Calzado at Calzado's office, 838 Title Insurance Building. Calzado told him he had seen Betancourt at 10.30 a. m. that morning, and that he and Betancourt had a very extensive conversation in regard to the arms and ammunition proposition, likewise in regard to their negotiations with Cantu.

Godchaux then immediately realized that Betancourt had thoroughly impregnated Calzado with the same fear that he (Betancourt) had regarding the fact that the secret-service people were after Betancourt and Godchaux as per information given to Betancourt regarding this matter by Emilio Gonzales who had told Betancourt at Calexico that a secret-service friend of his (Gonzales) had told him that they knew all about the entire Betancourt-Godchaux negotiations and even had seen photographic copies of a great deal of Betancourt's correspondence regarding these matters.

Godchaux could see at that moment that Calzado was a changed man and was exceedingly nervous, and apparently very much frightened over the entire situation and repeatedly walked up and down his office and said, "My God, this is dreadful; it will simply ruin everything we have planned."

Godchaux states that Calzado had a most extreme case of nervousness and fright regarding this matter, and closed up like a clam regarding the entire matter, and said, "We will have to drop this matter for the time being; furthermore, all of us, if we are brought before the authorities, must swear there is absolutely nothing in this matter, and we have never discussed arms and ammunition." Calzado then said, "I am going to deny to the bitter end that I ever went to Calexico."

Godchaux then made an engagement to see Betancourt and Calzado that evening, and later took Calzado and his lover at 8.15 p. m. to the Victor Hugo restaurant. Godchaux at that time for over two hours attempted to ease Calzado's mind in regard to there being any danger, and furthermore told him it was utterly impossible for Emilio Gonzales to have ever received such information as he in turn had passed on to Betancourt regarding the secret-service people being fully aware of their plans.

Godchaux then said to Calzado, "I don't understand this proposition at all. You, Betancourt, Cantu, and all the rest of you have repeatedly told me that the United States Government, likewise its Secret Service people, had assured you of their support, and now you come in and display the greatest fright in regard to them knowing anything of this deal." Calzado said, "You don't understand, Mr. Godchaux, for we were to let the United States Government and authorities know about everything we proposed to do and then secure their permission to do so, but as I have told you before, we would be damn fools to let them know everything, and we never intended to do so; therefore, if they now learn about this deal they will know we have not kept faith with them." He further said if this thing comes out it will land every one of us in jail.

Godchaux states Calzado was so nervous, frightened, and worried over the situation that he could not eat his dinner.

On October 21, at 10 a. m., Godchaux met Calzado and Betancourt at Calzado's office for a definite answer in regard to the entire arms and ammunition proposition. Godchaux states that Calzado at that meeting was as much frightened and nervous about the entire matter as he previously had been, and that Betancourt was in every way altogether different in his actions, talk, and opinions regarding the arms and ammunition matter. Betancourt then said, "Remember, all of us have to stick together and deny forever that any such a deal existed."

Godchaux then fully realized that due to the fright which had been thrown into Betancourt by Emilio Gonzales, at Calexico, regarding the fact that the Secret Service people and the United States knew about the entire matter; that Betancourt therefore had made up his mind to, if possible, sacrifice everybody else and save himself, and that Calzado who in turn had been badly frightened by Betancourt likewise intended to do the same. They also said, we have to take to cover now and drop this deal forever.

Betancourt also at the start of the conversation treated Godchaux in a very cold manner, and seemed to blame him for the entire matter. Godchaux then asked Betancourt, "Where do you suppose I am going to get off regarding this matter with my principals? Furthermore, you have dragged me around the country for about six months on this deal promising this, that, or the other thing and you have never complied with any parts of your proposition, and in addition to that, if you are involved with the authorities, so am I."

Godchaux states his idea in making that remark to Betancourt was to learn positively if Betancourt and Calzado were really sincere in regard to their changed ideas and attitudes regarding their arms and ammunition deal.

Betancourt then said to Godchaux, "It is true I am not complying with my agreements, but after having received that information from Gonzales it looks like jail for me and I am going to save myself irrespective of who else gets saved or not." He then said to Godchaux, "Where are all of the contracts, papers, documents, etc., pertaining to these deals which I have signed and which are in your possession?" Betancourt then also said, "I want all of those papers and contracts back for I would not be able to sleep any more as long as I knew they were out of my hands." Godchaux told him they were in his possession in a safety deposit box at the Alexandria Hotel. Betancourt and Calzado then said, "Let's go over to the hotel and get those papers at once."

Godchaux said, "No; that can't be done, for those papers and documents that belong to my principals, and I am not going to give them back to you until I am so authorized to do so by Mr. Poole." At that moment, when Godchaux refused to surrender these papers, Betancourt, so Godchaux states, had a brain storm, jumped up and yelled out he would get the papers if he had to choke them out of Godchaux, and started over to Godchaux, who then got up out of his chair, backed into a corner and told Betancourt, "You try to put your hand on me and I will kill you."

Godchaux realized that everything was up so close that his associates were concerned, and nothing more could be done. He then backed out of Calzado's office and said to Betancourt, "Go to hell; if you try to start anything I will be off." Betancourt at that moment started out, and Godchaux lifted his coat, which had a gun in each hip pocket, and told Betancourt, "I will get on me and you will get hurt."

Godchaux then left the building and told Calzado, "Say, old man, you are a damn fool and also said that Betancourt is a damn fool."

be willing to give Godchaux \$600 for the papers and contracts, and made an engagement to meet Godchaux at his, Calzado's office, at 3.30 that afternoon. Godchaux, however, at my suggestion, did not keep his engagement with Calzado.

On October 22 Calzado telephoned Godchaux at the Alexandria Hotel and at that time told him it was the best thing for everybody to settle the entire matter amicably and for Godchaux not to stay mad at him. Calzado then told Godchaux "we will pay all of the expenses you have had in regard to those negotiations," and asked Godchaux what it amounted to. Godchaux told him about \$1,200, and Calzado said, "All right, we will arrange that, and you will turn all of Betancourt's papers over for that amount." Godchaux said only after he had put their proposition up to Mr. Poole.

Godchaux from that time on until he left Los Angeles saw no more of Calzado.

The report of Arthur C. Dennison, of your Los Angeles office, of October 23, 1918, under the heading of "Regarding Fiacro R. Betancourt and E. Calzado, Mexican revolutionary activities," will give you complete details regarding additional information pertaining to Calzado and Betancourt in regard to the further developments of this case.

Your attention is called to pages 6 and 7, 8, 11, and 13 of Mr. Dennison's report in regard to the alibi Calzado was attempting to fix up for himself regarding these matters with Mr. Dennison. Likewise the fact that Calzado, as shown on pages 7 and 8 of Mr. Dennison's report, deliberately lied to him in regard to him, Calzado, having gone to Calexico with Godchaux.

As mentioned hereinbefore, it was Godchaux who obtained through me the permit card for Calzado to cross from Calexico to Mexico. The immigration official, Mr. Ellis, at Calexico, issued the permit card to Calzado after having been introduced to him by Godchaux. This in itself shows how deliberately and consistently he lied in his statements to Mr. Dennison.

Mr. Dennison as mentioned in his above report handled all of the matters mentioned in his reports. At my suggestion dug out a great deal of information from Calzado and Betancourt from suggestive leads I gave him to ask these parties. Mr. Dennison's work in handling this entire matter was skillfully and exceedingly well done, for as his reports show regarding these parties, he was dealing with two of the most skillful liars he probably has ever come in contact with and who at one hour made to him a certain statement or claim and at the same hour the next day would repudiate it or change their previous statement.

This is fully illustrated in Mr. Dennison's report of October 28, entitled "Regarding Fiacro R. Betancourt and E. Calzado, Mexican revolutionary matters." In this report Mr. Dennison states that Betancourt changed his statement of the previous day regarding what Gonzales had told him about the secret service, people, etc.

Mr. Dennison's report of November 2, entitled "Re Fiacro R. Betancourt and E. Calzado, Mexican revolutionary activities," also shows that when he questioned Emilio Gonzales regarding the statement made by Betancourt as to what Gonzales had told him about the secret-service people knowing all about his arms and ammunition deals with Godchaux. That Gonzales flatly denied to Mr. Dennison he had ever mentioned such a matter to Betancourt.

On pages 1 and 11, of Mr. Dennison's report of October 23, Calzado stated that Betancourt had entered all of the negotiations with Godchaux and his principals innocently, saying that this was a violation of the neutrality laws. Your department has possession of letters written by Betancourt and many of his friends, turning out to be very careful in regard to using the mails, due to the fact that many of them were being censored, and otherwise they were being intercepted.

On November 15 of Mr. Dennison's report, he fully gave the cause of the negotiations, as follows: "The negotiations between Betancourt and Calzado were being conducted in a very secret manner. Betancourt was warned by Calzado to secure from the Mexican revolutionary leaders with a view to the Mexican revolution."

He also has, and is using to the extreme limit, the alleged assurances which he claims to have received from Chief Bielaski, and to Godchaux, Mr. Conaty of the Immigration service at Los Angeles, and even to Mr. Dennison, used the name of Chief Bielaski just as if they were brothers, and, invariably to all of these parties, with the probable exception of Mr. Dennison, gave them to understand that Chief Bielaski intended to do everything he could at any time for Calzado, all of this, of course, was the usual Mexican lie.

As far as Calzado's general reputation is concerned, even among Mexicans, he is known to be very shrewd, a deliberate liar, and unscrupulous to the core, and yellow as far as his personal nerve is concerned. Mr. Dennison's report of October 23, entitled "Regarding Flacro R. Betancourt and E. Calzado, Mexican revolutionary activities," conclusively proves that he deliberately lied to Mr. Dennison regarding practically all of his statements.

If I may be permitted to suggest, it is important, in my opinion, to have Mr. Keep or Mr. Dennison, of your Los Angeles office, instruct Calzado to call at their office and then emphatically warn him if they ever hear again of him (Calzado) using in any manner the name of Chief Bielaski or of any other United States official, in that event Calzado will be slapped into jail.

I make this suggestion due to the fact that Calzado, from all I can learn, as mentioned hereinbefore, has used Chief Bielaski's name to promote his own business and personal propositions not only with Mexicans but with Americans.

The telegram Chief Bielaski sent to his Los Angeles office in answer to the one mentioned hereinbefore proves that all statements made by Calzado to be the usual Mexican lie. The telegram is as follows:

WASHINGTON, D. C., October 16, 1918.

KEEP,

Federal Building, Los Angeles, Calif.:

Telegram of yesterday. Calzado called on me several times concerning his plans for revolution against Carranza to be headed by Cantu. Was encouraged to give details of his plans for information of this Government. Understand his reputation among Mexicans not good. Desired me help him secure passage across border. Only telegrams which I have sent him states that he should apply to Immigration Inspector, and second one advising him not practicable to waive regulations in his case. Secure all possible information concerning his activities, but do not take any action except in emergency without conferring with department.

BIELASKI, Bureau of Investigation.

Confidential report by Cresse to Department of Justice re statement made by F. R. Betancourt to agent of your Los Angeles office that Emilio Gonzales had received from a friend in the United States Secret Service full information regarding Betancourt's Mexican revolutionary activities.

NEW ORLEANS, LA., November 27, 1918.

On October 15, 1918, as mentioned in my report of November 23, 1918, entitled "Continuation confidential report September 23, 1918, re trip of F. R. Betancourt from New Orleans to Los Angeles to make arrangements with Gov. Estaban Cantu, of Lower California, regarding arms and ammunition to be run out of the United States," Betancourt claimed that Emilio Gonzales, in the lobby of the Calexico Hotel, at Calexico, Calif., told him that a secret service friend of his (Gonzales) had warned him to the effect that the secret service people were thoroughly familiar with all of the Betancourt-Godchaux revolutionary activities.

Mr. A. C. Dennison, of your Los Angeles office, in his report of October 24, 1918, entitled "Re Flacro R. Betancourt and E. Calzado Mexican revolutionary activities," stated in that report that Betancourt told him he had met on October 15, in the lobby of the hotel at Calexico, an old friend of his whom he had not seen in 17 years, a Mexican attorney named Emilio Gonzales. I quote from the report of Mr. Dennison, as mentioned hereinbefore, as follows:

"A Mexican attorney named Emilio Gonzales: He stated that Gonzales was an attorney for the large cotton company in the Imperial Valley, the name of which company he could not remember. (This is the Globe Milling Co.) Betancourt stated that Gonzales had asked him if he knew a young Frenchman, who was staying at the Alexandria Hotel in Los Angeles, whose name he could

not remember, but which he believed began with "G." Betancourt inquired if he meant Godchaux. Gonzales replied, "Yes; that is the name." Gonzales asked if Betancourt had had any dealings with Godchaux, and Betancourt replied that he just knew him slightly. Gonzales then warned him against Godchaux, stating that he (Gonzales) had a friend in the United States Secret Service, Department of Justice, who had informed him that Godchaux was being trailed by detectives, who followed him from New Orleans, and who were opening and photographing all mail and telegrams which were received by Godchaux. Betancourt claimed that Gonzales did not tell him the name of the man who had given him this information. Betancourt stated that this terrified him so that he was unwilling to take Godchaux to see Col. Cantu, and he returned to Los Angeles, leaving Godchaux at Calexico. Betancourt stated that he did not know how long Godchaux remained in Calexico or what success he had in his attempt to see Col. Cantu or sell him the arms and ammunition which he had in New Orleans."

You will notice in the above statement of Mr. Dennison's report that Betancourt lied to Mr. Dennison when he stated that he had left Godchaux in Calexico; as a matter of fact he requested Godchaux to go to Los Angeles to get Calzado, as is fully covered in my report of November 23, 1918, entitled, "Re Eusevio Calzado, Mexican revolutionary leader at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Poncho Villa." In that report on page 4, paragraph 6, likewise on page 5, paragraphs 1, 2, and 3, you will find full information regarding this matter.

When Mr. Dennison repeated to me what Betancourt had told him regarding Gonzales, as mentioned on page 12 of Mr. Dennison's report, I suggested to Mr. Dennison that he immediately have Betancourt reduce his statement to writing regarding Gonzales, also that he get in touch with Gonzales and force him to divulge the name of his secret-service friend, who had given him the information Betancourt had mentioned.

Mr. Dennison's report of November 7, 1918, entitled "Re Flacro R. Betancourt and E. Calzado, Mexican revolutionary activities," I quote from the above-mentioned report of Mr. Dennison as follows:

"Referring to my report for October 24, in the above-entitled matter, Emilio Gonzales to-day called at this office at my request. I asked him what he knew about a young man named Godchaux, who had recently been at the Alexandria Hotel. He replied that he had met Godchaux in Calexico some time during the week of October 14 in company with an old school friend of his, Betancourt. He said that he had never heard of Godchaux until the morning when he arrived in Calexico and looking over the hotel register he saw Godchaux's name written either just below or just above the name of Betancourt.

"I questioned Gonzales for some time, but could elicit no information other than this. I then told him briefly the story which Betancourt had told of his being warned against Godchaux by Gonzales, as outlined in my reports of October 23 and October 24. Gonzales branded this statement of Betancourt as an absolute falsehood, reiterating the fact that he had never heard of Godchaux until he had seen the name on the register with Betancourt's. He stated that he had heard rumors for some years past of Betancourt's revolutionary activities and upon meeting him in Calexico assumed that he was there in some such connection with Col. Cantu. He said that he had warned Betancourt in a general way that the Government officials were active in their investigation of such matters and that if he were in this part of the country in connection with any Mexican revolutionary plot it behooved him to be very careful. He strongly and specifically denied that part of Betancourt's statement in which it is alleged that Gonzales had said that he had been informed by a friend that the secret service was intercepting mail and telegrams addressed to Godchaux. Gonzales was unable to state the name of the person who had given him information in regard to Betancourt's past activities, but was under the impression that he had perhaps discussed the matter with Jose Trevino, who is attached to the staff of Col. Cantu.

"Gonzales, owing to his connection with the Globe Mills, is anxious, I am sure, to keep in the good graces of this Government, and I do not believe that his friendship for Betancourt would be sufficient cause for his falsifying in order to afford Betancourt protection."

The above report of Mr. Dennison shows that Betancourt or Gonzales, one or both of them, lied regarding this matter.

Betancourt, up to the moment he met Gonzales in the lobby of the hotel at Calexico, was very enthusiastic in regard to the prospects he and Godchaux had regarding the arms and ammunition deal and the big profit they were to make out of it. Also, up to that very moment Betancourt could not have been more friendly, intimate, or frank in his conversation and actions with Godchaux.

As stated in my report of November 23, 1918, regarding Betancourt, from the moment he finished his conversation with Gonzales at Calexico he was altogether a changed man, and was not only badly scared but avoided at all times and in every way Godchaux from that moment on, as has been fully covered in my report of November 23, entitled "Re Esuevilo Calzado, Mexican revolutionary leader at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Pancho Villa."

Mr. Dennison's report of October 24, entitled "Re Flacio R. Betancourt, E. Calzado, Mexican revolutionary activities," page 15 of that report, fully gave the cause, as I see and understand it, for the ending of the Betancourt-Calzado-Godchaux matters as follows:

"It is apparent that the turning point in the entire negotiations between Godchaux and Betancourt came about in Calexico when Betancourt was warned by Emilio Gonzales against Godchaux."

Knowing Betancourt and all of his associates as I do, irrespective of the statement made by Gonzales, as is fully covered in Mr. Dennison's report of November 7, mentioned hereinbefore, that he never mentioned any such matter to Betancourt. I am nevertheless convinced of the fact that Betancourt did receive at Calexico the information he claimed Gonzales gave him regarding his Secret Service friend.

On October 15, over a week before the final breakup occurred between Godchaux and Betancourt, Godchaux received the information about what Gonzales had said, then a few days later Betancourt repeats to Mr. Dennison the same information he had given Godchaux. Therefore I see no reason for Betancourt to out of a clear sky have manufactured that story at Calexico. I feel absolutely sure that Gonzales did make the statement to Betancourt at Calexico that Betancourt claims he made.

Gonzales, in his statement to Mr. Dennison, realizing that he was probably up against it, flatly denied every having made any such statement to Betancourt. I believe it was necessary for Gonzales to do so to protect the source of information from his Secret Service friend which he claimed to Betancourt he had secured.

In so much as the information Gonzales gave Betancourt at Calexico was entirely responsible for ruining the inside source of information that your department has had regarding activities of Betancourt and all of his associates through Godchaux, which up to that moment had been of a great deal of value to your department, therefore strongly recommend that this matter be closely watched, and if possible worked out whereby it will be shown how and through whom the leak to Gonzales originated.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Samuel Vasquez, Mexican consul general, San Diego, Calif.

NEW ORLEANS, LA., November 30, 1918.

When Godchaux was in Calexico, Calif., he was at that time introduced to Vasquez. Later he met Vasquez in Los Angeles through Martin de Leon, who told him that he was a lifelong friend of Vasquez and that Vasquez was for Cantu first, himself second, and for Carranza third.

De Leon, on his personal card, sent the following to Vasquez by Godchaux.

"Ya se lo presentare y tal vez podamos hacer algo con el.

" M. DE L.

"AMIGO SAMUEL: Mi amigo el Sr. Godchaux que esta en este Hotel en el cuarto No. 573 desea con mucho interes un minero del San Diego Union sivace dejarle en la Adsalonon de este Hotel un numero. Gracias el Sr. Godchaux es hombre de negocias."

Vasquez recently established a Mexican monthly magazine at San Diego, which De Leon said was to be published in the interest of Cantu. De Leon also told Godchaux that Vasquez had received from Cantu and his friends financial backing to establish a printing plant and to operate the publication.

De Leon also said that the purpose of the publication was to develop and spread propaganda for Cantu as a candidate for the Presidency of Mexico.

Vasquez is well educated, exceedingly shrewd, and has a strong following among the Mexican population in Lower California and around San Diego and Los Angeles.

As mentioned in my confidential report of November 23, 1918, under the heading "Eusevio Calzado, Mexican revolutionary leader at Los Angeles, Calif.," which shows his connection with Col. Estaban Cantu and Gen. Pancho Villa. Vasquez is the close personal friend of Cantu; likewise is alleged to be his principal purchasing agent.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Mexican Government having secured arms and ammunition from United States, likewise now making inquiries for large additional quantities of same and mistake I believe United States Government will make by allowing arms and ammunition to go into Mexico.

NEW ORLEANS, LA., April 15, 1919.

Understand that during the later part of March the Mexican Government exported from El Paso, Tex., into Juarez, Mexico, 5,000 Winchester 30.30 rifles and carbines, likewise several hundred thousands 30.30 cartridges. Mr. J. Krakauer, who is a member of the firm of Krakauer, Zork & Moye's Sucs., wholesale hardware dealers of El Paso, Tex., was in New Orleans on April 7 to 10, and at that time told me his firm had purchased these rifles and carbines from the Winchester Arms Co., of New Haven, Conn., and in turn sold them to the Mexican Government, also the large quantity of 30.30 cartridges the Mexican Government exported to Mexico with these rifles were cartridges the Mexican Government had previously purchased, and in this lot of cartridges were a large quantity which had been taken over by the United States Government when the embargo was put on by this Government.

Mr. Krakauer called to see me when he arrived in New Orleans, in answer to one of the circular letters I had sent out to a large number of wholesale and retail dealers offering various lots of arms and ammunition, and which have been fully covered in my previous reports of March 20, 26, and 29 entitled "Suggestion in regard to securing lists of various military arms and ammunition being offered for sale throughout the United States."

He at that time told me his firm was in the market for all the 30.30 cartridges they could purchase, likewise several thousand 30.30 rifles and carbines. He also told me that these goods which his firm were getting lined up were being secured for the Mexican Government.

From his conversation understood that the Mexican Government either has secured permits from the State Department to export into Mexico large additional quantities of arms and ammunition, or are intending to request such additional permits from the State Department.

IRRESPECTIVE OF CONDITIONS IN NORTHERN MEXICO, AND I BELIEVE INVESTIGATION BY YOUR DEPARTMENT WILL CONCLUSIVELY PROVE MY SURMISE CORRECT, WHICH IS THAT IT IS THE ABSOLUTE CONSENSUS OF OPINION AMONG EVERYBODY IN ALL OF THE VARIOUS BORDER STATES, EXCEPT THOSE WHOSE OPINIONS ARE INFLUENCED BY FINANCIAL PROFITS TO THEMSELVES, THAT IT IS A SERIOUS MISTAKE FOR THE UNITED STATES GOVERNMENT TO ALLOW THE MEXICAN GOVERNMENT AT THE PRESENT TIME TO SECURE ANY ARMS AND AMMUNITION FROM THE UNITED STATES.

The Mexican Government claims to need such arms and ammunition to eliminate Villa and other bandits. As a matter of fact, Villa and all of his supporters and friends on both sides of the border are very glad to see arms and ammunition coming into Mexico from the United States.

For it enables the Villistas to replenish their own supplies of arms and ammunition: first, by capturing such equipment from the Mexican soldiers, and secondly, inasmuch as rifles, carbines, and cartridges are standard currency in Mexico, therefore the Villistas and other revolutionists have and will continue to secure large quantities of arms and ammunition from the Mexican soldiers by purchasing same from them.

Those who really know how things are worked in Mexico would consider it a safe bet that the Villistas, the Felicista, and other Mexican revolutionists will within the next four months have possession either by capture or purchase at least one-fourth of the last lot of arms and ammunition the State Department has just allowed the Mexican Government to import into Mexico.

I KNOW THE ARMS AND AMMUNITION BUSINESS AND I LIKE-WISE KNOW THE MEXICAN SITUATION, AND CONSIDER IT IS MY DUTY TO EMPHATICALLY RECOMMEND THAT UNTIL THE PRESENT MEXICAN GOVERNMENT SHOWS ITS ABILITY TO CONTROL THE MEXICAN SITUATION THAT IT IS A SERIOUS MISTAKE FOR THEM TO HAVE THE RIGHT TO SECURE ARMS AND AMMUNITION FROM THIS COUNTRY. (Cresse code name for Jones.)

Continuation confidential report by Cresse to Department of Justice re Mexican Government having secured arms and ammunition from the United States; likewise, now making inquiries for large additional quantities of same, and mistake, I believe, United States Government will make by allowing arms and ammunition to go into Mexico.

NEW ORLEANS, LA., April 26, 1919.

As mentioned in my report of April 15, 1918, under the above heading, have received information from several of my informants on the border, who are on friendly terms with many of the revolutionists, that all of them are glad to see the United States allow arms and ammunition to go into Mexico, these revolutionists claiming either by purchase from the Mexican soldiers or capture that they will soon be in possession of large quantities of such arms and ammunition, horses and other equipment the United States has allowed the Mexican Government to export from the United States into Mexico.

I understand the Villistas have already captured from Mexican troops between 250 and 300 of the cavalry horses and some of the firearms and ammunition the Mexican Government recently secured from merchants in the United States.

As an illustration of this, ———, one of my informants, who lives at ———, Tex., on April 18 wrote me as follows:

"I notice the Mexican Government secured permission to cross a large amount of guns and ammunition, also 1,000 cavalry horses, at El Paso, Tex., and they have also secured permit to cross a large amount of ammunition at Laredo. In conversation with an officer of the Carranza Army in Chihuahua, he tells me the campaign against Villa has been a failure and in every way a farce, and that Carranza could not get troops in Chihuahua that would be loyal and could be depended on to capture or combat Villa. The crossing of ammunition at this time is very bad, as most of it if not all will fall in the hands of the rebels, either by capture or they will be able to buy it from the Carranza troops. For money, any of the Mexican troops will sell their rifle or any quantity of cartridges at any time. We have a case now where the private coachman of Maj. Velard, commanding officer of Piedras Negras, Mexico, who has been crossing people across the river at night; these people are Syrians and other foreigners, and they generally charge \$50 to \$100 per head to put them over. You can take Velard, and for money could put over any crooked deal."

Having spent a great deal of time for the last four years in Mexico and on all parts of the border from Brownsville to Los Angeles, likewise probably having more than the usual opportunity to know the inside facts regarding all of the various Mexican revolutionary parties and being able at any time to pass up and down the Mexican side of the river, therefore am absolutely convinced of the fact, as I HAVE MENTIONED IN MY PREVIOUS REPORTS REGARDING THIS MATTER, THAT IT IS A MOST SERIOUS MISTAKE ON THE PART OF OUR GOVERNMENT TO ALLOW ARMS AND AMMUNITION AT THIS TIME TO BE EXPORTED FROM THE UNITED STATES INTO MEXICO.

Your department is in a position to have this matter checked up by your special agents along the border, all of whom are unusually capable and thoroughly posted regarding Mexican border conditions, and I feel sure such investigation will show it is the consensus of opinion among disinterested business men at all border points, that within from one to four months from 25 to 50 per cent of the large quantity of arms and ammunition shipped from merchants in the United States to the Mexican Government will within the time mentioned be in possession either by capture or purchase of the Villistas or other Mexican revolutionary factions.

Instead of the United States assisting as they believe they are in helping the Mexican Government to put down and kill off the Villistas and other similar

bandits and revolutionists, in reality as it appears to me the United States is to some extent in the end unintentionally helping these Mexican bandits and revolutionists to continue their activities by making it possible for them to secure by purchase or capture from the Mexican troops the arms and ammunition necessary for such revolutionists to continue their activities.

— for many years lived in Mexico, and at border points in Texas, Arizona, and New Mexico. He married a Mexican woman and probably has as much experience with Mexicans and knows as much regarding them and their activities as any other white man on the border. His information during the last year and a half has always been valuable, and with the exception of two occasions never found any of his information incorrect. I have in nearly every instance checked up his information and found it absolutely straight.

He is friendly with many of the Mexican officials, likewise with various Mexican revolutionists. Since he went to work for me over a year ago, at my suggestion he has to the best of his ability given Mexican Government officials and revolutionists the impression that as far as he was concerned the United States could go to hell, and in this way has been able to secure considerable information of value.

From the reports of Cresse to the Department of Justice regarding

CARRANZA'S CENTRAL AMERICAN REVOLUTIONARY PLOTS.

[Referred to on p. 5622 of testimony.]

Immediately after Carranza received from the United States de facto recognition as first chief of Mexico he began carrying out his Pan American ideas to become dictator, not only of Mexico, but, as he hoped, of Pan America. He had these plans in mind even at as early a time as he was a revolutionist.

The one paramount idea often reiterated by Carranza and his officials was to nullify the Monroe doctrine by putting in its place Pan-Americanism. He wanted to array Latin America against the United States economically and politically, not to mention his military ambitions. He sought to establish the approximately 100,000,000 people of Pan America and Mexico against America's millions in the marts of trade and on the fields of war.

In public address and through diplomatic channels in South and Central America, Carranza always has been and is active at present in his advocacy of anti-Americanism. In a speech to the Mexican Congress on April 15, 1917, Carranza said:

"There has been developed a vigorous feeling of approximation and fraternity by and between all the Latin-American nations, with whom Mexico is closely related, by reason of origin, ideals, and common interests. These nations and their respective Governments have cooperated with pleasure, and even with enthusiasm to the work, from which the best results for the benefit of all are to be expected. For this reason, this Republic has increased the personnel of its diplomatic corps, as well as the number of its legations.

"It is a pleasure for me to state that the manifestations of consideration and sympathy, which have developed in our relations with our sister Republics have been eloquent and significant, and with an emphatic tendency toward drawing these Republics and Mexico closer together.

"In this connection I take satisfaction in making special mention of the mutual proofs and demonstrations of deep esteem and sincere fraternity which have been mutually exchanged between the people and the Governments of Salvador and Mexico.

"The Government, under my charge, presented to the Government of Salvador a biplane, built at the aviation factory in this capital (Mexico) and a complete wireless installation. Both were delivered by commissions sent to Salvador.

"The Mexican commissioners were received with noticeable courtesy. Decorations were bestowed upon the commissioners by the President of that important Republic, which has conducted itself toward Mexico and its Government in a manner which displayed deep sympathy and high esteem, all of which emphatically call for national gratitude."

The Mexican mission arrived at Acapulco, Salvador, on a Mexican gunboat. The gunboat returned to Mexico and then made another voyage to Salvador with a large contingent of Mexican military officers. They were at once put in charge of training troops of Salvador. Much ammunition also was supplied

Salvador by Mexico at this time, together with arms. My reports to the Bureau of Investigation at that time fully covered these activities.

To realize his mad ambition of becoming dictator of Latin America Carranza seized on the cooperation of Salvador and Mexico, which he frankly admitted in his address was a fact, to gain an opening. That Von Eckhardt, the German ambassador to Mexico, financed Carranza's Latin-American dreams, will be shown later by complete documentary evidence which I have put in possession of the New York American.

Carranza, whose principal disciple in his Latin-American ambitions was Louis Cabrera, whose celebrated trip during 1918 through South America was to spread Carranza's doctrine of anti-Americanism and pro-Latin-Americanism, planned to have the Central and South American countries come out openly in favor of Germany. When they found that this could not be accomplished, they then decided to put through their scheme for the League of Neutral Pan American Nations, which was headed by Mexico.

Warned far in advance of these plans, the United States was able to block them successfully.

Nevertheless, it is notable that Salvador during the World War remained neutral and on every occasion coincided with Mexico's most remote dictates and policies. Also, Salvador sided wholeheartedly with Carranza in opposition to the Monroe doctrine. Along this line Carranza declared in his message to the Mexican congress on September 1, 1919:

"As the question of the acceptance of the Monroe doctrine was taken up at the Paris peace conference, the Government of Mexico found it advisable publicly to declare and officially to inform friendly governments that Mexico had not and would not recognize that doctrine, because, without the consent of all the people of America, it established a criterion and a situation about which they had not been consulted. Therefore, that doctrine attacks the independence of Mexico."

Several months ago Salvador made an official request on the United States as to an official definition of the Monroe doctrine. This was a ruse on Carranza's part, using Salvador as a cat paw to gain this definition for his own usage. Already Salvador is dominated by the dictator of Mexico.

In my report of July 19, 1918, to the Bureau of Investigation and headed "Confidential report, re Interview with Ignacio Bonillas, Mexican ambassador to the United States at Washington, and plans suggested as a result of these interviews which may help to offset Germany's strength in Mexico," and based on an interview with the ambassador on July 1, I pointed out:

"I asked Bonillas a point-blank question as to why Mexico had not and would not declare war on Germany. Likewise, as to why President Carranza appeared, so it was said, to interfere constantly in the affairs of other Latin-American countries. Likewise, if it were not a fact that a majority of the army officers of the Mexican Government were in the pay of the German ambassador to Mexico City or of other interests who were friendly to Germany. The ambassador answered:

"It seems to be the policy of the United States to interfere more in the affairs of Mexico and Central American than Mexico does in the affairs of the United States. It is President Carranza's own affair as to where and in what way Mexico extends her power throughout Pan-America."

"He also said that undoubtedly some of the Mexican army officers had taken money from Germany, but, as a whole, he did not believe that the majority of Mexican army officers were in the pay of Germany."

"I then said to the ambassador, 'If my supposition is correct, that the majority of your army officers are in the pay of Germany and President Carranza decided to declare war on Germany, what effect would it have as far as those army officers in the pay of Germany being able to attempt the overthrow of President Carranza?'

"The ambassador said that if such a condition really existed and President Carranza declared war on Germany, provided the majority of the army officers were in the pay of that nation, it would result in the present Mexican Government being overthrown by the army."

At the time of this interview with Ambassador Bonillas I was in the employment of the Mexican foreign office as one of its confidential agents. As a matter of fact, President Carranza had been charged with "feathering his nest" financially with more German money, all of which he is said to have "salted away" carefully in banks outside of Mexico than any other 10 Mexicans.

Carranza's plans to become dictator or leader in all of Pan America through his league of neutral nations having been successfully blocked by efforts of the United States, with the exception of the Government of Salvador, he then attempted, with money provided by Von Eckhardt and which he procured from other German interests, to plot to secure control of all of Central America by surrounding himself with the leading revolutionary chieftains from each of the Central American nations.

This was known as Carranza's Central American revolutionary plot, and the facts for the first time, backed up by documentary evidence, will be shown in this series. Likewise, it will be demonstrated how, through the efforts of the Bureau of Investigation of the United States Department of Justice, this entire scheme of Carranza to extend his dictatorship throughout all Central America was broken up.

Through Carranza's representatives in the United States, he approached each of these Central American revolutionists who he knew were at that time political exiles and would be available in fomenting several revolutionary movements. Among these revolutionists were Gen. Maximo Rosales, of Honduras; Pedro Grave de Peralta, of Honduras; Dr. Julian Irias, of Nicaragua, and Gen. Jose Castillo, of Guatemala.

Carranza's principal representatives, who he used to open up negotiations to start simultaneously a revolution in Guatemala, Nicaragua, and Honduras, were Carlos Felix Diaz, Mexican consul general at Belize, British Honduras, and F. R. Villavicencio, consul general of Mexico at New Orleans, La.

The following letter from Villavicencio to Peralta shows that the former instructed the latter to call at Villavicencio's office; the translation of the original, herewith reproduced, and dated April 19, 1916, reads:

"I would thank you to come up to my office at any time that should be convenient to you; telephoning me, however, before you come, so that I may wait here for you, since I have to speak to you about a matter that will interest you."

On March 27, 1916, Carlos Felix Diaz wrote Pedro Grave de Peralta as follows:

"The undersigned is here, and has taken advantage of all the means that are within his reach, working in connection with the revolutionary movement which is springing up in Guatemala. On account of my position, I established relations with some rebels from Honduras who arrived here in a bad fix, and whom I helped out.

"I suppose you are aware of the fact that between the despotic Governments of Guatemala and that of Bertrand (the then President of Honduras), which is of the same sort, there exists strong ties of friendship and defense, and it seems to me that it would be a prudent and logical thing for the two revolutionary parties to do to come also to a common understanding.

"The junta over there, whose worthy secretary you are, should also be represented in the Republic of Mexico and should come to a working agreement with the revolutionaries in Guatemala.

"Tapachula would in my opinion be the right place, once that Cabera (the President of Guatemala) is out of the way. Bertrand then will fall by his own weight. In case that the honorable junta should think the same way, then I would write to Dr. Toledo, the chief of the revolution in Guatemala, and would communicate this plan to him, and, if you find it convenient, then you could communicate it to Gen. Maximo B. Rosales.

"In the meanwhile, you may count on me in any matter that is connected with your movement. There are a good many revolutionaries from Honduras here, but since they have no resources, they are swelling the ranks of the revolutionaries from Guatemala, hoping, of course, they will be able to fall over Bertrand as soon as Estrada Cabera has been disposed of. I am waiting to hear from you, and in the meantime I will keep on writing and do whatever I can to obtain the freedom of Honduras and Guatemala, which no doubt will be of some help."

The above letters, which indicated the launching of the revolutionary plan, were hardly dry until I became actively engaged in investigating the scheme. It may be a source of surprise to the parties to the plan to know now, for the first time, that I, who had "worked in" on the entire scheme as a personal adherent and coconspirator, also almost daily reported their plans and movements to my government and aided in blocking the intrigue. Unknown to the plotters, I had had them under surveillance in their own "camps" shortly after they had set foot on American soil.

Peralta immediately referred the proposition, which he had received from Villavicencio and from Carlos Felix Diaz regarding Mexico's plans to make

Rosales revolutionary president of Honduras, to Gen. Rosales. The latter, who for many years has been known as "The Stormy Petrel of Central America," with unlimited political ambition, bit immediately at the bait offered in the way of cooperation by Carranza.

Dated February 22, 1916, Rosales, then in San Francisco, wrote Peralta, in part, as follows:

"You must attend to the Mexican business well, for I have been informed reliably that Carranza, in order to change things in Central America, and for that reason he would like to come to an understanding with the foremost politicians of each country. It is of the utmost importance, and as soon as you have matters fixed up over there, then go to Mexico.

"Be careful that nobody learns of your trip to Mexico. I inclose you a personal letter of recommendation from his (Carranza's) representative here, who at that time was Ramon P. Ienegn."

On March 2, 1916, Rosales wrote Peralta:

"Did you receive my letter of credentials for Gen. Carranza? I hope that Irias has prepared something and that he will take the field, because the political situation in Central America makes me believe that they will not fight the revolutionaries, and that the American Government will not intervene, on account of grave political affairs in their own country, the German situation is very grave, as well as other matters, and they are not ready now to attend to small governments.

"For such reasons, we have to take advantage of these opportunities and see which way we will get the best of the bargain. You may be sure, my friend, that in Central America something is going to happen and that we shall be victorious."

Under date of March 4, 1916, Rosales wrote Peralta, as follows:

"I have become convinced that a great change is going to take place in Central America.

"The Mexican situation is beginning to look serious, and on that depends largely what will happen in Central America. Therefore, immediately make your secret trip to Mexico so that our understanding with Mr. Carranza will be perfected."

On March 11, 1916, Rosales, in a letter to Peralta, states:

"The situation in Mexico is getting more serious every day. He (Carranza) has now decided to shake up Central America. Do not fail to continue our affairs with the Mexican representatives, but without letting anybody know about it, not even Jones (meaning myself) or any of his friends.

"When you go to Mexico keep it quiet, and you may tell Jones that you are going to Washington. I inclose you my personal letter (to Carranza).

"I knew already of the appointment of Refael Lopez Gutierrez. He is an old degenerate and the Government does not gain anything by that. Bertrand keeps him satisfied after having fooled him with the vice presidency.

"I hope that you are right about Nicauragua and that the bomb will explode there. I am sorry they caught the 200 cases of rifles that were shipped to Costa Rica."

Rosales, having become so enthusiastic regarding Carranza's revolutionary plans, outlined fully in the same letter his ideas of how their various armed expeditions could be operated against Honduras and Guatemala. His letter continued:

"The armed expeditions could be easily organized and leave Mexico. Once that we have organized the expeditions there, our expedition from New Orleans can leave immediately, and this boat can be cleared for Mexico and she can land on some point on the Yucatan coast, in conjunction with the expedition that is to leave from Belize, and which is supposed to capture Tela, landing on an obscure spot near Tela (Honduras).

"During the night they can make a surprise attack on Tela, beat off the garrison, organize again and take the townships near La Ceiba, and then make a surprise attack on La Ceiba before people arrive who could defend it, then organize again and take Trujillo. After that has been done form a column under the command of Gen. Isaula and let him march on Yoro and Juticalpa, together with Gen. Teofilo Rosales; after, we can form another column and march on Progreso and San Pedro.

"All this can be done while we land with the other expeditions. The first expedition, under Soriano, can notify the firm of Perdomo Bros., in Belize (the capital of British Honduras in the West Indies), whom you know are our

agents there. They can again notify us in Yucatan through prearranged messages, so that we may not suffer any disappointment."

On March 12, 1916, Peralta wrote Rosales from New Orleans, La., as follows:

"Mr. Perdomo came here directly from Belize to have a talk with us, but it looks like he wants to swim without getting wet. He tells me that he is with Carranza now, and that he is going directly to him in order to get money from him, which in turn he will hand over to us and our cause."

On March 22, 1916, Rosales wrote Peralta from San Francisco:

"The governor of Yucatan (Salvador Alvaredo) is an important person, and he is interested in the affairs of Central America. It would be well to take up the matter of Yucatan in a private way with the counsel, Villavicentio, and you could make a trip there with a letter of recommendation from him.

"I have an offer here for four pieces of artillery, for which I can settle after my triumph with artillerymen and which helps a good deal. From Yucatan, as well as from over there (New Orleans) we can ship these goods as machinery, consigned to Perdomo Bros. for the expedition from Belize, which will be headed by Soriano (one of their dends in Honduras), and which will be our advance guard from that country.

"Do not fail to make the trip to Yucatan, which is important. And I repeat to you that you must be very reserved about this trip."

Peralta did secure the letter Rosales requested, introducing him to the governor of Yucatan, Gen. Salvador Alvaredo. The English translation of same is as follows:

NEW ORLEANS, LA., *May 12, 1916.*

MY ESTEEMED AND FINE GENERAL: This letter will be handed to you by Mr. Pedro Grave de Peralto, the legal representative of Gen. Maximo Rosales, chief of the Liberal Party of Honduras, and he goes to our Republic in order to arrange some matters of the highest importance.

I have no doubt that you will assist Mr. Pedro Grave de Peralto in every possible way as soon as you know of his affairs.

Thanking you very much, I remain, as always,

Your good friend and partisan,

F. R. VILLAVICENTIO.

On March 24, 1916, from San Francisco, Rosales wrote Peralta again stating:

"The governor of Yucatan is very much interested to assist a move against the allied governments of Central America, especially those that are protected by the Guatemalan Government.

"I have told you several times the planned combination, with the movement which I have prepared from the south, coming from Nicauragua, and from the east.

"Be careful of the Judas and the spies and remember the mayor of La Ceiba, who approached you as your friend, and who was undoubtedly sent there to pump you and lay a trap for you."

On April 1, 1916, from San Francisco, Rosales wrote Peralta at New Orleans as follows:

"The pieces of artillery, which I have been offered, are cannons and can be shipped as machinery. Do not forget to take this matter up with Perdomo when he goes back to Mexico, so that he can serve as our agent in Belize.

"Fix up a code with him for ordinary letters, as well as for cable communications. All will go well with sufficient calmness."

From Belize, April 20, 1916, Carlos Felix Diaz wrote Peralta at New Orleans:

"MY DEAR FRIEND AND PARTISAN: I had the pleasure of receiving and carefully reading your favor of the 6th instant. I want to state to you that my initiative was born out of my enthusiasm and my sympathy for the freedom of nations.

"I am convinced that the government of Bertrand is a despotic government, which is based on fraud and brutal force, and that is my reason for helping you openly, but only myself in person am responsible for what I am doing for you. I can not approach the first chief officially in this matter. I have written him and have transcribed your letter under the guise of friendship as well as to other prominent men among the Constitutionalistes.

"Of course, I have done it in such a way that no responsibility can be placed upon them, besides the one that it has occurred to me to write to them. You will see clearly what I intend to say in these lines.

"You can count on the chief of the territory of Quintana Roo (a territory of Mexico close to British Honduras and which is under the military control of

the governor of Yucatan, who at that time was Alvarado), Gen. Carlos A. Vidal, as if he were myself.

"I have gathered some men in Payo Obispo, Maradlagua, Matute, and others. (All of which are towns in Quintana Roo.) It would be too late to receive the arms which you want, even if they should give them to us. I agree with you that Tapachula is not the right point for a junta, with all they possess in Payo Obispo.

"I want to tell you that Gen. Carlos Vidal is a young man of noble ideals, and you can write to him in my name. He tells me to get something definite, which is up to you. The fact is that we can count on Payo Obispo as a place to unload our arms. We can make it appear as if the arms were consigned to Gen. Vidal through my conduct. In this manner you will have a safe point where to ship your war equipment and to form your expedition for the taking of La Seiba, Puerto Cortez, Tela, and other points. (These are towns in Honduras.)

"I am waiting for your answer and for your further disposition, and in the meanwhile I will attend to anything that may help our cause."

The arms were to be shipped from Mexico ostensibly for the use of the Mexican Army forces in Quintana Roo, but in reality, as shown in the above letter from the Mexican counsel, they were to be employed for the several armed expeditions from there against the Central American Republics.

At about this time the Government of Honduras became partially aware of the revolutionary plot, which resulted in their sending to New Orleans for repair the Honduran gunboat *Barahona*. Rosales in one of his letters from San Francisco to Peralta at New Orleans wrote as follows:

"We have to blow up the steamer *Barahona*."

Peralta, in answer to Rosales's suggestion in regard to blowing up the Honduran gunboat, wrote the latter:

"What you tell me about the blowing up of the gunboat *Barahona* would be a fine thing, but very dangerous at the same time for the man who does it, and we would have to give him a goodly something so that he could make his escape and live in peace wherever he may choose to go."

Rosales, in reply to Peralta, corresponded as follows:

"You must fight the enemies with all means at your disposal, as they will do the same thing to you. You must therefore get together with Mr. Jones, and as the first thing blow up the gunboat *Barahona*. Any nigger or some other fellow will attend to that job for a few dollars; but, of course, you must be careful."

Due to proper authorities having been warned in my confidential reports, the gunboat was carefully watched, and I likewise showed to Peralta the inadvisability of attempting this deed. The scheme was abandoned.

On April 21, 1916, Peralta from New Orleans wrote to F. R. Villavincencio, Mexican consul general there:

"I have shown you several letters from Gen. Maximo B. Rosales, the chief of the Liberal Party of Honduras, ordering me to leave immediately for Mexico and to get in touch there with President Carranza."

Dated April 24, 1916, from No. 3426 Canal Street, New Orleans, Peralta corresponded with Rosales at San Francisco:

"Mr. Villavincencio, the consul of Mexico here, has shown an interest again of seeing me, in order to tell me that it is of the highest importance that either you or I should go to Mexico to come to an understanding with Mr. Carranza. He assures me that our trip would bring sure results, and that I should not hesitate in going there.

"No; I was surprised by another letter from the consul of Belize (British Honduras). And I have no doubt that he is doing so under orders from his Government. He has got for us precisely the place that I wanted in Yucatan, Payo Obispo, on the frontier of the colony from where Manuel Bonnila organized his first expedition."

This refers to an expedition which resulted in a revolution which placed Bonnila in the presidency of Honduras. The letter continued:

"Gen. Vidal, of whom he speaks, is a downright brute, without any fear, and we can send the pieces of artillery that you have there to him. Study this letter well. If he would not have been authorized he would not have talked to us like he did. Who knows what his Government (Mexico) wants? But I will get it out of him. We must not lose any time."

On April 24, 1916, from the same address on Canal Street in New Orleans, Peralta, as secretary general, wrote Carlos Felix Diaz, at Belize, as follows:

"I have read the contents of your letter of the 20th of this month with pleasure. And I have transcribed it to our general in command, Maximo B. Rosales. You will understand how your important cooperation in our affairs is of the greatest value, since you are with us heart and soul.

"I respectfully ask that you come to a definite understanding with the first chief and with Mr. Alvarado, the governor of Yucatan, who would be more convenient, to my thinking. The consul of Mexico here already has written his Government, showing real zeal and energy.

"I deem it necessary to sign a defensive and offensive treaty with Gen. Carranza now through Mr. Alvarado, of Yucatan, by means of your mediation. We appreciate your activity on our behalf very highly, especially what you have done for us in regard to Payo Obispo and our good friend, Gen. Vidal, and we would thank you to keep after him and find out what we could do for the protection of our chief (Rosales) when landing on the coast.

"Anyhow, study well what I have said before, and be satisfied about one thing: It is that a beautiful future awaits you. Consider me your friend and let us fight side by side. It may be that my country is not as large as yours, but we have a lot of room there for friends like you."

On April 25, 1916, from New Orleans, Peralta wrote Gen. Rosales at San Francisco:

"I am writing now to Perdomo Bros. and to the Mexican consul at Belize, so that they will send Punta Gorda, who is now in Belize, to me here. Roman Diaz is free now and we ought to send him to Payo Obispo, and I do not know where he is at the present.

"Whatever you say goes. I believe that Isaula, Soriano, Euceda, Maradiaga, Manulle, and the Munguias could pull off a first-class invasion that would have a sure and successful result without a shadow of doubt. This, my friend, is not open counting on Elvir, Mauricio Ramirez, Roman Diaz, Gen. Teofilo, Rosales, Gen. Purificacion Zelaya, Col. Ballesteros, Fuentes, Cruz, and others, who are waiting on you; and each of them counts with his bunch of followers; then there are Ceferino Delgado and others whom you have in the south.

"With Isaula and the men that he has picked out, we could take Trujillo, and with the arms which we find there we could outfit our recruits from Trujillo, Guaimorete, Betulia, Balfate, Rio Estevan, Nueva Armenia, and the other nearby townships; these points are between Trujillo and Ceiba.

"Soriano and the men he takes along could attack Telja and could arm with whatever he finds there. Colfado and the railroad line and this port; it would be easy to unite about 2,000 men between these points and enough silver to make ourselves solid: the flower of the coast would be with us.

"I deem it of the highest importance that one of them should go to see Carranza and Alvarado in Yucatan."

On April 27, 1916, from San Francisco, Gen. Rosales wrote Peralta at New Orleans as follows:

"MY DEAR FRIEND: I have your letter of the 19th instant. Also the letters exchanged with the counsel of Mexico, Villavicentio, and the answer that you have given him has my absolute approval. I have written to the consul in Belize, and I have told him that I have sanctioned your communications and that I hope that all of these actions will have good result.

"It seems, and it is clear to me that they would like to come to an understanding with us. We should take advantage of it. Your clear intelligence, your prudence, and your necessary reserve should do all that can be done to push these matters along.

"We have to be very political and very reserved in whatever we undertake. We will be there and stand back of our compromises. You must not make Jones angry."

I at that time, to procure additional information concerning plans of these parties, had told them that it appeared to me as though they never would be able to carry through their schemes and that I thought they must have been "handing me a bunch of hot air." I appeared as if I were mad and ready to "throw up the job." The letter went on:

"You must appease him in some way, by raising fresh hopes in him. Tell him that I am not asleep. Tell him that I am a fighting man and that a few failures don't bother me. Tell him that I am constant and that I go on ahead until I fulfill my ideals.

"If Consul Villavicentio receives a favorable reply (this was in regard to Peralta having informed Mexico through Villavicentio that Rosales and his associates were willing to enter into the plan of Carranza to overthrow the Central American Governments) then you should make up your mind to go to Mexico.

"Aside from the letters of recommendation that have been offered you, you should ask them for one from the governor of Yucatan, in which manner we can organize an expedition from there. This is the most proper point, and you should take this matter up with the governor of Yucatan in the manner that you think best."

Dated May 6, 1916, Peralta wrote from New Orleans to Gen. Rosales at San Francisco:

"I have seen the consul (Villavicentio) and the admiral again, as well as the former minister of Madero, who is now vice admiral of the Mexican fleet (this party whom Peralta refers to as the admiral was Hilario Rodriguez Malpica) and who desired that we should go to Mexico together. They are certain that our mission will meet with success and that the first chief (Carranza) will give us what we want, and I myself believe that he will."

Peralta wrote from New Orleans on May 8, 1916, to Rosales, at San Francisco:

"I inclose you an official letter from the consul of Mexico in Belize, of which I could not make a copy on account of too much work, but which I shall be able to answer in the next mail.

"We must make him (Carlos Felix Diaz) believe that the war equipment from them is merely a second consideration for our people, and that we have all that we need in the interior of our country.

"Bertrand (then President of Honduras) is getting old and sick; in regard to the handbill he says:

"Look here, friend Vasquez, I did not kill Salamanca; I may have killed somebody else, but I did not kill Salamanca."

"Alvarado Guerrero (a Government official of Honduras) treats Chico Mejia (another official under Bertrand) like a good-for-nothing, and tells him:

"If you did have any honor at all, you would have resigned long ago, because you were dismissed as minister of war so that you could resign, and you have not done so because you have no honor; Membreno (Honduran minister to Washington) took Juan Bustillo from Liverpool, and the people shout for Rosales (Maximo B.); they are up in arms from Puerto Cortez, Choloma San Pedro, La Pimienta, Sta Barabara, Comayague, Tegucigalpa, on that side, and on the other side is La Cebl, Tela, Trujillo, Opanchito, Yoro, and Copan. Salvador J. Garcia is in Copan.

"Sugusto Coello is in Tibueo; Ariti is in Puerto Cortez; Cobar is in Yoro; the bandit Williams is in Choloteaffi Faustino Calix is in Trujillo; Mejia Juarez is in the Comayagua; El Aplicanos is in Jucalpa, and in Belize there is a colony of Rosalistas, a hundred strong, ready for work.

"I sent \$150 to Isaula through Perdomo Bros.; he is likely to come here, but I told him to remain there until he heard from you, and you should write to him through Perdomo Bros. You have everything that you can ask for in Honduras. All it needs is to put the match to the powder and let the whole business blow up in a hurricane."

Peralta at this time was active in completing his plans, as pointed out herebefore, to leave for Mexico City to see Carranza and other prominent officials of the Mexican Government. He secured from F. R. Villavicentio, Mexican consul at New Orleans, a letter of introduction, which follows, translated into English:

[Lic. Jesus Ocuna, Secretario de Estado y del Despacho de Gobierno, Mexico.]

MAY 12, 1916.

VERY ESTEEMED AND FINE FRIEND: The present letter will be handed to you by Mr. Pedro Grave de Peralta, who is going to that capital in order to arrange a matter of high importance, asking him to assist him kindly in every way possible, I beg to remain always,

Your good friend and partisan.

The understanding between Peralta and the Mexican consul, Villavicentio, was that he, Villavicentio, by one of his confidential couriers, several weeks prior to this time had sent full instructions to President Carranza; Gen. A. Obregon, Mexican minister of war and marine; Gen. Candido Aguilar, Mexican

secretary of foreign affairs, and other prominent officials advising them of the fact that Villavicentlo's preliminary negotiations with Rosales and Peralta had reached the point where these Central American revolutionists were willing to become the tools of Carranza. Through them Carranza's plans to start his revolutionary movements in Central America, according to the understanding, could be carried out successfully.

The admiral of the Mexican Navy, Hilario Rodriguez Malpica, who was to accompany Peralta on his mission to Mexico, however, changed his plans and left New Orleans for Mexico City several weeks before Peralta started thither. Admiral Malpica was likewise to assure Carranza and his officers that their efforts through Rosales and Peralta and their other associates could be carried out successfully.

On May 17, 1916, Peralta in New Orleans, wrote Gen. Rosales in San Francisco as follows:

"I am leaving on Saturday, the 19th, for Yucatan and Mexico. I am taking along with me letters to Gen. Carranza, Gen. Candido Aguilar, the Mexican minister of foreign affairs; Lic. Louis Acuna, the Mexican Secretary of State; and for the Governor of Yucatan, Gen. Salvador Alvarado."

The letters Peralta tells Rosales he has, were from Villavicentlo, the Mexican consul general at New Orleans, and from Carlos Felix Diaz, the Mexican consul general at Belize, British Honduras. It was also a known fact to the United States Government at this time that all plans involved herein, which had been secured by me, had been heartily concurred in by the Mexican ambassador to the United States. The letter continued:

"I would have left with Gen. Melpica, the admiral of the Mexican fleet, but he left by rail through the port that is infested with the adherents of Villa, and I was afraid to fall into their hands with the correspondence I carry.

"Admiral Malpica arrived there all right and is waiting for me now. I have great hopes to do something this month—be it with Carranza or any other devil.

"Dr. Alberto Membreno (at that time Honduran minister to the United States) comes via Panama directly to New York, and a handbill sent by Mr. Wright (Samuel B. Wright, who, as will be shown by correspondence in this series, was on apparently friendly terms with Peralta) to the Department of State (of the United States) which would show Membreno as a friend of Bryan's.

"We must do something that is sure, if you care to eat the fruit that is ripe now. I am going to try my luck now in Yucatan and in Mexico. Wait for my correspondence from Mexico."

Peralta, before leaving New Orleans, also procured letters from strong friends and supporters of President Carranza and his officials who were at that time in this country. Among them was Dr. Tos Garcia Lopez, a personal friend and supporter of Louis Cabera, Carranza's right-hand bower. A translation of this letter reads:

NEW ORLEANS, LA., May 16, 1916.

Lic. LOUIS CABERA,

Mexico.

MY ESTEEMED AND FINE FRIEND: It gives me great satisfaction to have this opportunity of introducing to you by means of this letter, the bearer, Mr. Pedro Grave de Peralta, the representative in Washington of the Liberal and Constitutional Party of Honduras, who is going on an important mission to our first chief (Carranza) which is also of the most vital importance for the interests of our party.

Your friends and partisans, who are residing at present in this great Republic, respectfully ask in his behalf that you assist him on his mission, and in all that he is going to tell you.

Peralta, on May 19, 1916, slipped out of New Orleans for Havana, Cuba. Just before taking his departure, he told me that one of his relatives was dangerously ill at New York City and that he was leaving for there, he being unaware of the fact that I was thoroughly familiar with all of his plans in regard to his trip which was taking him to Mexico.

He went from New Orleans to Havana and from there Peralta took a steamer to Vera Cruz. Estrada Cabera, President of Guatemala, who is known as the "political fox of Central America," long before this time had become cognizant of Mexico's plans in connection with Rosales, Peralta, Gen. Jose Castillo, Dr. Toledo, Dr. Julian Irias, and others to enter into the Car-

ranza plot to effect the downfall of Cabera's government and other administrations of Central America through revolutionary moves.

Cabera, having the most powerful and extensive spy and secret-service system in Central America, and which extends throughout the United States, was endeavoring to keep close scrutiny on the activities of these Central American revolutionists. The day after Peralta sailed for Havana, a celebrated woman spy of Cabera's force, left from New Orleans direct for Vera Cruz. This woman was known as Sonora Concho. Being familiar with her activities and being acquainted personally with her, I devised a scheme for "working in" a Central American, an assistant of mine and a source of valuable information, on this woman.

She became infatuated with him, as I had hoped she would do, and while partially intoxicated she divulged to him the plan of her trip to Mexico. She said she had been personally ordered by President Cabera to join Peralta and procure all information possible from him for the benefit of Cabera.

Senora Concho made her trip and managed in Vera Cruz to flirt with Peralta in a restaurant. She claimed that he became deeply attached to her, and by careful scheming she obtained from him many of his plans and the full story of his mission. When Peralta returned to Vera Cruz this woman spy procured complete details as to the success of his mission to Carranza and the latter's officials.

The woman then returned to New Orleans, where my spy, professing renewed love for her and plying her with wine, gained the entire story from Senora Concho. In my work I always kept four or five lines laid for information. In case one or two "fell down" I was able to turn to reserve sources to check and countercheck reports.

Peralta, upon his arrival in Mexico City, established elaborate apartments at the Hotel Iurbide, suite 55. From this hostelry, on June 7, 1916, he wrote to Admiral Hilario Rodriguez Malpica. The English translation follows:

MY DEAR GENERAL: I suppose that by now you know what my mission is to the government of Gen. Carranza, when I am counting on your precious and important offer, which you made me in the United States.

I do not doubt that it would help me materially in my work, since you are one of the most prominent members of the constitutionals.

The impressions which I have received up to now are so highly satisfactory that I would like to tell you about them privately, so that you may give me your opinion about this matter. I would thank you, therefore, to let me know which time would suit you best for me to see you, since my stay in Mexico will only be a matter of days, as I have to return to the United States as soon as possible.

I remain, your friend,

In handling all affairs, even the most intimate and personal, the Latin Americans and Mexicans are extraordinarily formal and particular as to etiquette, as is shown by letters which I have turned over to the New York American.

The admiral answered Peralta's letter as follows:

[Secretary of War—Navy Department—Private correspondence.]

MEXICO, June 8, 1916.

DR. PEDRO GRAVE PERALTA,
Hotel Iurbide, 55, City.

DEAR MR. PERALTA: I see by your nice letter of yesterday that you would like to come to see me and tell me about the good impression that you have gained.

Kindly call to-morrow, the 8th instant, at this office of the department of navy, where I shall be waiting for you at 6 p. m.

Your friend,

H. RODRIGUEZ Y MALPICA.

Peralta wrote from Mexico City on June 7, 1916, to Gen. Candido Aguilar, Mexican secretary of foreign relations, translated as follows:

"MY DISTINGUISHED GENERAL: I have just arrived here from the United States on a mission of highest importance for the party of the constitutionals, of which you are such a prominent member, as well as for the general interest of the party which I represent in Mexico and in Washington, and I

beg of you very respectfully to grant me kindly an hour or so that I may hand you a letter that I bring with me and also to speak about its contents with you.

"You will pardon me when I ask you to attend to this right away, since I am in a hurry to return to the United States, where our political affairs demand our presence in an urgent manner."

Peralta, on the same date, sent exactly the same letter as quoted above to Lic. Jesus Osuna, minister of government.

From Mexico City, Peralta, in a letter dated June 7, sent a communication to Carranza, the translation of which follows:

MR. VENUSTIANO CARRANZA,

First chief in charge of the executive power of the Nation.

City, D. F.

HIGHLY DISTINGUISHED SIR: A mission of vital importance for the Constitutionalists, whose worthy chief you are, as well as for the political party to which I belong and which I represent in Mexico and in Washington, has brought me to this country to comply with the wishes of those whom I represent. I have the honor of soliciting a private interview with you at the time you deem it convenient for your interests, and my return to the United States depends only on this audience with you and the members of the Constitutionalists.

I beg to repeat to you my highest consideration, and I am,

Very respectfully,

PEDRO GRAVE DE PERALTA.

The above letters, among other things, illustrate the typical Latin-American and Mexican manner of "camouflage." All these elaborate announcements and prayers for audiences were made despite the fact that Peralta, all along, knew that Carranza's representatives in the United States had "cooked everything" and had arranged long before for the interviews.

From Mexico City, on June 8, 1916, Carranza wrote Peralta, in answer to his letter of June 7. The first chief's communication was made on official stationery which bore the Mexican eagle of the Republic of Mexico. Under the eagle is the inscription "First chief of the Constitutionalist Army." The English translation follows:

MR. PEDRO GRAVE DE PERALTA,

Hotel Itrubide, Apartment 55, City.

ESTEEMED SIR OF MY CONSIDERATION: I have your attentive favor of yesterday, and in reply I beg to state that if you will call to-morrow afternoon at 4.30 at the Palace, I shall give myself to the satisfaction of receiving you.

I am, dear sir, respectfully,

V. CARRANZA.

The above letter was dictated to Carranza's stenographer, "M. C. R."

The English translation of Peralta's letter, dated Mexico City, June 8, 1916, to Mr. Charles Hammocken, Oliver Building, same city, follows:

MY DISTINGUISHED FRIEND: I am very sorry that I could not have the pleasure of seeing you when you called on me, but, as you know, I had some very important interviews to attend to. It is very necessary that we should meet as soon as possible, and I shall phone you to find out the best time for us to have a quiet talk by ourselves.

I remain your friend.

On June 10, 1916, Peralta wrote the following letter from Mexico City to Gen. Alvaro Obregon, Mexican minister of war and marine:

"MY DISTINGUISHED GENERAL: I want to express to you my sincere thanks for the honorable distinction extended to me in preparing the important interview with our worthy Gen. Carranza.

"I have come to the conclusion in consequence thereof that the most prominent members of the Constitutionalists, whose main representative you are, do no longer look with cold indifference at the fact that the Liberal Party of Central America is about to be enslaved, which party should form one great and solid body with the Mexican Constitutionalists.

"Grave and important matters are calling for attention and they are shaping up in a good many ways. As a partisan of the great cause that you stand for, I feel that it is my duty to denounce this matter before you.

"Mr. Ricardo Carrascosa has arrived recently from Chiapas (a Mexican State adjoining Guatemala, Central America) and he is the bringer of some

very important news which should not escape your knowledge. This news is a great help to the plans which I have submitted to you and to Gen. Carranza, in case that they will be verified as well as those which I have brought from North America, and which have been supplied by our most prominent leaders.

"It would be well for you to have this Carrascosa to come up to your office."

Carrascosa was a leader of the Carranza party in Chiapas. He is now said to be one of Carranza's military commanders in that State. The letter concludes:

"I want to tell you, distinguished General, that you have made the deepest impression upon me, which I shall communicate among the 800,000 liberals of Central America, and I shall tell them that the bell which shall announce the freedom of the Central American isthmus shall be rung by the orders of generals such as Carranza and Obregon. I deem it the highest honor to be bearer of such good news, and I await impatiently the resolve which will give us either life or death."

Peralta's reference to the "800,000 liberals" of Central America refers to those members of what is known as the Liberal Political Party of the five Central American countries: Costa Rica, Nicaragua, Honduras, Salvador, and Guatemala. Peralta admits in this letter that he, in connection with Gen. Rosales and their other revolutionary associates, is perfectly willing to carry through the plans of Carranza and the first chief officials to extend their dominating power through all of Central America.

On June 13, 1916, Peralta received a letter from Gen. A. Obregon, translated as follows:

[Private correspondence of the Secretary of War and Navy.]

MR. PEDRO GRAVE DE PERALTA,
Hotel Iturbide 55, City.

MY DEAR FRIEND AND SIR: In answering your attentive letter of the 10th instant, I am glad to express to you my appreciation of your sentiments, expressed therein, and to tell you at the same time that it would be well for Mr. Carrascosa to come to this office in order to let me have the information of which you speak, and which I shall be glad to hear, so that I may make use of it in the best manner possible.

Thanking you again for your kind expressions, and always gladly at your orders, I am,

Your servant,

GEN. A. OBREGON.

Through Carlos Felix Diaz, the Mexican consul at Belize, and through Gen. Carlos Vidal, the Mexican military commander at Payo Obispo, Peralta had arranged with Carrascosa to take active charge of an armed revolutionary expedition out of the Mexican State of Chiapas against Guatemala. This was to be launched at a time when other expeditions were to attack Guatemala at the Atlantic ports of Livingston and Puerto Barrios.

On June 16, 1916, Peralta wrote at Mexico City to Carranza. The English translation follows:

GEN. VENUSTIANO CARRANZA
(*Personal*).

HIGHLY HONORED SIR: Our distinguished friend, Gen. Gandido Aguilar, as well as the Hon. Mr. Ugarte, have communicated to me your precious and important resolution in favor of the political interests which I have the honor to represent before your distinguished person, interests which I consider firmly identical with those of the constitutionalists of Mexico.

I am bound, sir, to return to the United States in as short a time as possible, taking with me the valuable contingent of our worthy chief, Gen. Carranza, who may count on the unconditional service of the entire army of the liberators of Honduras, so that your Government will grow stronger every day, in a way that will be most convenient and useful for our interests.

Believe me, that it is really very important that I should return without delay, and I am anxious to comply with the orders of Gen. Rosales, who only waits for my arrival in order to start his campaign.

I therefore beg of you respectfully to get me ready by this week, since it is very difficult at the present time to get any steamers that are going north on account of the irregular itinerary. You may be sure that wherever you hear

the name of Gen. Maximo B. Rosales mentioned you will have a sincere and true representative of Gen. Venustiano Carranza, and I assure you that I, as a true admirer of your political creed, will be the same as he.

Necessity forces me to ask you for my answer, so that I may be enabled to act immediately.

Attention is called to the fact presented in the above letter that the Mexican Minister of Foreign Affairs, Candido Aguilar, and Derzayn Ugarte, Carranza's private secretary, had communicated to Peralta word that Carranza had assured them the first chief had decided in every way, through Peralta, Rosales, and other of their associates, to gain control of the several Central American countries.

I have found that the Mexican mind, as well as that of the Central American official, thirsts for publicity. I often played on this psychological trend to advantage. Peralta had been led to believe, through me, that "we" could control publicity in a large number of newspapers, and with this belief uppermost he boasted to Carranza of the "great publicity power he wielded."

Carranza asked for a demonstration of Peralta's power in the American press. I was not supposed to know where Peralta was, but to call Carranza's turn he was compelled to cable me. This resulted in the following correspondence between Peralta and Candido Aguilar, Mexican Secretary of Foreign Affairs, the English translations of which are as follows:

MEXICO CITY, June 19, 1916.

Gen. CANDIDO AGUILAR

(Confidential).

MY DISTINGUISHED SIR AND FRIEND: I beg of you very respectfully to tell me whether you and the first chief will allow me to send the following cable message to Washington, which letter, translated, reads as follows:

"CHARLES JONES.

"Washington:

"Call on Senators and press associations immediately in order to avoid international difficulties created by political speculators of both countries. The United States and Mexico should remain united in order to repel the European aggression. Public opinion is with Carranza.

"PEDRO GRAVE DE PERALTA."

Our object is to place at the disposal of Gen. Carranza our lawyers in Washington, since they are persons of political influence in that country. I would appreciate your answer highly, since I am very anxious to send this cable to-day.

I remain your friend.

Aguilar's answer to the above letter was as follows:

MEXICO CITY, June 19, 1916.

Mr. PEDRO GAVE DE PERALTA,

Hotel Iturbide, Room 55, City.

MY DISTINGUISHED SIR AND FRIEND: I take pleasure in replying to your kind letter of this date and beg to state to you that the message which you want to send to Washington is very appropriate. And I would that you let me have the exact translation (Spanish) of same. Of course I shall communicate to the First Chief (Carranza) these noble actions which you have taken for him and in his favor.

Highly appreciating the interest which you are taking in the affairs of this country, I beg to remain as always,

Your servant and friend,

C. AGUILAR.

Peralta then supplied to Gen. Carranza and Obregon at Mexico City the transcription of the message requested by Aguilar, which was as follows:

Gens. CARRANZA Y OBREGON.

Mexico City.

Puedo disponer 200 periodicos aqui y todo el pais, puedo entablar campana favor Carranza y su partido soberbia. Contesteme inmediatamente si trato asunto deseo series util, Estoy Hotel, Harrington.

PEDRO GRAVE DE PERALTA.

The translation of the above into English is:

I can have 200 newspapers at my disposal here and in the whole country can start a campaign in favor of Carranza and his party that will be first class. Answer immediately whether I shall take advantage of the offer.

The following letter from Peralta to Carranza, written on June 19, 1916, testifies to the bitter hatred of Peralta and his clique for America and his eagerness to join Carranza and all their supporters in each of the Central American countries with their armies and revolutionary groups "at any time Carranza so ordered" to defy the United States. This is openly expressed, despite the fact that Peralta, Rosales, and other plotters had and were enjoying with their families safe refuge in America. The communication reads, translated:

HIGHLY ESTEEMED MR. CARRANZA: Well acquainted as I am with the Machiavellian politics of Estrada Cabrera in Central America, I deem it my duty to warn your distinguished Government against all fakes, traps, or political acts which he employs to surprise the Mexican Government when he now uses his power and makes the Government of Honduras protest against the Yankee intervention in Mexico.

President Cabrera is employing dangerous means in fooling you, and he is hiding the fact that he has made an alliance secretly with Honduras as well as with Salvador to the effect that they must support him for the assistance he renders the two incumbents for their respective reelection.

The Liberal Party, whom I have the honor to represent here and in the United States is ready unconditionally to place their army at the exclusive orders of Gen. Carranza to fight the American colossus or any other enemy of his Government, and it all depends on you for us to prove what we say, especially under the present circumstances. I, in person, as the special representative of that great group, bring you their last word in this matter.

Estrada Cabrera has found out that he can not fool this great Republic any longer, and now he is going to employ politics against you.

Respectfully,

PEDRO GRAVE DE PERALTA.

Peralta at this time was engaged in creating a profound impression in the minds of Mexican officials regarding his ability to spread propaganda throughout the United States favorable to Mexico. The following letter illustrates this:

HOTEL ITURBIDE, 55.

Mexico City, June 20, 1916.

SUBSECRETARY OF FOREIGN RELATIONS,

Palace of Communications, City.

DEAR SIR: You will pardon me for taking up your valuable time with the object in view to have you ask our distinguished Gen. Aguilar whether I could send my cables to Washington free of charge in the respective departments, so that I can stir up the sympathies in favor of this great Republic (Mexico) which is unreservedly at our disposition.

I deem this of highest importance for our patriotic labors, as it will serve at the same time the cause of Latin America. It is understood that I will only make use of this for any messages that concern our actual political moves, but that under no circumstances will I do so for my own personal affairs.

Believe me, Mr. Secretary, a firm friend of your Government, and you may count unreservedly on my humble services whenever they may be of any use to you.

Respectfully,

PEDRO GRAVE DE PERALTA.

The following letter, written by Peralta in Mexico City on June 23, 1916, to Aguilar, secretary of foreign relations, and marked "confidential," further demonstrates the complete willingness on the part of Peralta, Rosales, and their associates in Central America to place their countries at the disposal of Carranza, provided they could overthrow the existing Central American Governments by revolutions, as planned in the United States by Carranza's representatives:

DISTINGUISHED AND HONORED SIR: Since I have not had the honor of hearing from you up to this present time in regard to my affairs, which brought me to Mexico, and since I have received superior orders to get ready to leave in consequence of the pressure that is getting stronger every day among our parti-

sans and in our country. I beg of you most respectfully to give me an hour, if possible, to-day, so that I can have my last meeting with you and finish the mission for Gen. Carranza which brought me here.

You will understand that my party wants to know whether or not I have been successful in my mission to the fathers of the Mexican liberalism. To lose any further time without getting any practical results would prejudice my cause, precisely since the people of Honduras are anxious to see Maximo B. Rosales, the chief of the Liberal Party, return to his country, and who is waiting for me before he starts on this campaign.

UNDER SUCH PRESSING CIRCUMSTANCES I SIMPLY WILL HAVE TO GIVE UP MY MISSION AND LEAVE RIGHT AWAY, TAKING ALONG WITH ME THE LAST WORD, WHICH WILL DEFINE COMPLETELY IN CENTRAL AMERICA THE ATTITUDE AND OPINION OF GEN. CARRANZA TOWARD THE LIBERAL PARTY, WHICH NO DOUBT WILL AFFECT POLITICS IN SOUTH AMERICA.

IT IS USELESS THAT I SHOULD REPEAT ALL THAT I HAVE SAID; HOW GEN. CARRANZA, FOR POLITICAL AND STRATEGICAL REASONS, NEEDS A BASE IN CENTRAL AMERICA IN ORDER TO DISLODGE ANY GOVERNMENT WHO AFFORDS AND GRANTS AN ASYLUM TO HIS ENEMIES, WHO ARE MOVING RAPIDLY AND STRONGLY, AND WHO ARE CREATING THIS DIFFICULT SITUATION IN MEXICO TO-DAY IN ORDER TO CHANGE THE ORDER OF THE ACTUAL STATE OF AFFAIRS.

Neither do I have to repeat the solemn compromise of the Liberal Party in Honduras, whose chief Gen. Rosales is, to consolidate it with the government of Carranza through blood and fire, or anyway that it suits him, and I think that if Gen. Carranza looks upon all these grand propositions and great opportunities with cold indifference, then he should, later on, hold nobody to blame for this.

We came here with an open heart and have offered ourselves unconditionally in order to give more life, stability, to your cause in those regions (Central America).

Furthermore, you must readily see that the political machiavellian monster (meaning Estrada Cabrera) is getting busy against the constitutionalists and is looking for connections with other nations to that effect, but Gen. Carranza is not doing anything at all to cut the same from the bad.

This is precisely the work that we want to take upon our shoulders, and we want to attack this matter as a deadly poison to the Liberal Party.

Delay brings danger, and a step well taken in time is worth that come too late. Believe me, General, to be your sincere friend, who appreciates you.

Peralta's letter to Gen. Aguilar contains a note of anxiety. This is precisely what Carranza aimed at, the latter having coached his officials to "drag Peralta along" and not seem overanxious. The purpose of this was to dissuade Peralta from demanding more money than Carranza and his aides proposed to give him. His letter, however, on the afternoon of the same day brought results in so far as the matter of finances for a Central American movement was concerned, as shown by the following letter:

[Secretary of Foreign Relations, Mexico.]

MEXICO CITY, June 23, 1916.

MR. PEDRO GRAVE DE PERALTA,
Hotel Iturbide, City.

MY DEAR SIR: I beg to call your attention to the fact that Lic. Louis Cabrera already has instructions in regard to your affairs, and that you come up here to see him to-morrow at 12 o'clock. I am, sir,

Your servant,

JOSE PEREZ Y CARBONELL.

The following letter from the private secretary to Peralta acknowledges receipt of Peralta's several letters to Carranza, as quoted heretofore, and confirms the fact that Carranza had given the necessary instructions to Louis Cabrera, Mexican minister of finance, and GEN. A. OBREGON, MEXICAN MINISTER OF WAR AND MARINE, REGARDING THE FINANCIAL ARRANGEMENTS FOR PERALTA, AND ALSO THE ARMS AND AMMUNITION AND OTHER SINEWS OF WAR THAT THE CENTRAL AMERICAN REVOLUTIONARY MOVEMENTS WERE TO RECEIVE FROM MEXICO.

The English translation of the letter, which was written on Carranza's official stationery, bearing the eagle of the Mexican Republic, and dated Mexico City, June 23, 1916, follows:

Mr. PEDRO GRAVE DE PERALTA.

MY ESTEEMED AND FINE FRIEND: This office has received the letters which you sent to the first chief of the Constitutionalist Army in charge of the executive power of the nation, as well as those which you have written to me, and Mr. Carranza has read them carefully.

You will understand that the delicacy of our present situation has loaded up with work all of our offices, and for that reason I have not been able to answer your letters, although I have continued to look after your matters, which, as you know, have my fullest support.

THE FIRST CHIEF (CARRANZA) ALREADY HAS GIVEN OUT HIS WILLINGNESS IN THE MANNER IN WHICH YOU WILL HAVE TO BE DISPATCHED. (THIS REFERS TO FINANCES, ARMS, AND AMMUNITION FOR THE CENTRAL AMERICAN MOVEMENTS.) AND IT WOULD BE VERY WELL FOR YOU TO COME UP HERE TO-DAY AT 6 O'CLOCK AND TO SEE LOUIS CABRERA, SECRETARY OF FINANCE, SO THAT HE MAY TELL YOU OF THE INSTRUCTIONS WHICH HE HAS ALREADY.

If you would not mind coming up to my office to-morrow at 12 o'clock, I shall be glad to receive you, and we may bring matters to a satisfactory end then. I am, sir, with all consideration and esteem,

Your sincere friend,

GERZAYN UGARTE.

The following letter shows that Gen. Alvaro Obregon, Mexican secretary of war and marine, as well as all other members of Carranza's so-called cabinet at that time, were cooperating fully with the Central American revolutionary movements. These movements originated, as has been pointed out in correspondence, through Carranza's general consuls at New Orleans and at Belize, British Honduras:

"MEXICO CITY, June 27, 1916.

"Gen. ALVARO OBREGON,

"Secretary of War and Navy, National Palace, City.

"MY DISTINGUISHED GENERAL: I am about to leave for the United States, from where I came, bidding farewell to this great and beautiful country (Mexico), where I have been treated so well and kind.

"I have come a true friend of yours, and the impression which I take away with me of you is so great that the press of the country (the United States) where I am going will soon have something to say about you."

"In saying good-by to you, I again want to express to you that I have become a true and sincere friend of yours from sympathy and admiration, and wherever I MAY BE YOU CAN COMMAND ME AND MY SERVICES UNCONDITIONALLY. I ASKED DR. LOUIS FELIPE OBREGON YESTERDAY TO GO TO SEE YOU IN PERSON IN ORDER TO OBTAIN A LETTER OF SPECIAL RECOMMENDATION FOR ME WELL EXPLAINED [THIS LITERAL TRANSLATION REFERS TO GEN. OBREGON GIVING THE NECESSARY MILITARY ORDER TO THE MEXICAN COMMANDERS TO CO-OPERATE WITH THE CENTRAL AMERICAN REVOLUTIONARY MOVEMENTS] FOR OUR PARTISAN. GEN. CARLOS VIDAL, MILITARY CHIEF OF PAYO OBISPO, IN THE TERRITORY OF QUINTANO ROO, WHERE THERE ARE A GOOD MANY OF OUR FRIENDS WHO ARE GOING TO TAKE ACTIVE PART IN THE DEVELOPMENTS WHICH ARE GOING TO TAKE PLACE SOON IN CENTRAL AMERICA UNDER THE LEADERSHIP OF GEN. MAXIMO B. ROSALES, CHIEF OF THE LIBERAL PARTY IN THAT SECTION OF THE CONTINENT.

"If you will honor me with such a letter, I ask that you kindly send it to-day, to Hotel Iturbide, room 55.

"Respectfully,

"PEDRO GRAVE DE PERALTA."

One of Carranza's widely known military leaders, Gen. C. Green, wrote to Antonio Hernandez Ferrer from Mexico City on June 27, 1916, to Havana, translated as follows:

"I have the pleasure of introducing to you through this letter my good friend, Pedro Grave de Peralta, a distinguished partisan of ours. He has ac-

ranged in a satisfactory manner some highly important matters, which brought him here to our dear Mexico. He is returning home now in order to give an account of his mission, taking with him the highest opinion of all of us, the real revolutionaries.

"I trust that you will treat him as he deserves by placing your unlimited confidence in him. From the many talks that he and I have had about you, he knows you very well; and I hope that the same friendship that has united us will exist between the both of you.

"Without any further news for to-day,

"I am your friend."

Peralta wrote Aguilar on June 27, 1916, a letter marked "confidential" in Mexico City, to wit:

"MY DISTINGUISHED FRIEND: After having been dispatched in such a highly satisfactory manner by the first chief, Mr. Venustiano Carranza, as well as by you, I want to express my sincere thanks to you; and I feel certain that the Liberal Party of Honduras and Gen. Maximo B. Rosales will see in your distinguished personality one of the strongest supporters of our cause.

"I beg of you to express to Gen. Carranza our most sincere appreciation and impress upon his mind that our political group will only act on personal orders from him in the manner which I explained in my last letter.

"I am leaving for the United States, where your Government will have in me a true partisan and defender of the cause, and I beg of you always to consider me a true friend of yours."

Peralta, on June 28 or 29, 1916, left Mexico City for Vera Cruz. On his arrival there, according to Sonora Concho on her return to New Orleans, she having awaited Peralta in Vera Cruz as a spy for Cabrera, the latter, bubbling over with enthusiasm and champagne, poured into Sonora Concho's eager ear the entire story of his negotiations with Carranza and other officials in Mexico City.

Peralta told the woman spy that Carranza had placed at the disposal of Gen. Rosales and the Central American movement \$50,000 in gold, likewise arms and ammunition, boats, and other supplies for the several expeditions that were to start out of Mexico territory.

After "pumping" Peralta, Sonora Concho arrived in New Orleans a week in advance of Peralta and received attentions again from the Central American agent in my employ. She also "bubbled over" with enthusiasm and wine and relayed Peralta's story to our spy.

Consequently the United States Government, as covered in my report on this episode, received confirmation of plans which I had submitted long before concerning the proposed Central American movements as plotted by Carranza's own officials under his personal supervision.

Señora Concho's story to our agent was repeated again under peculiar circumstances. To be sure that our agent had obtained a correct narration, we devised that he should pick a quarrel with the woman, leave her, and give way to another spy, this time a Villista revolutionist. Not only did he pay ardent attentions to her, but he went so far as to marry Señora Concho. He did this much to our surprise, as we knew he had one wife already in Mexico.

Through this new husband of Señora Concho, who is now in Habana, we confirmed the woman's statements as told the Central American agent. I learned much other important news during the one week of their stormy honeymoon, and then the woman ran her husband out of the country. She then came to New York and met here a former husband from whom she was divorced, and who, up to this time, had been an active friend and supporter of Gen. Rosales and Peralta.

From her he learned of Peralta's flirtation with his wife in Vera Cruz, and she repeated to him the entire story regarding the plans and combination proposed by Peralta, Rosales, and Carranza. From this man I procured further details confirming the entire affair. Due to his feeling against Peralta, I was also able to procure additional plans.

After Peralta, arriving at Vera Cruz, Mexico, from the Hotel Diligencias Annex, on July 3, 1916, wrote the following letter to Gen. Venustiano Carranza, Mexico City:

"MY DISTINGUISHED GENERAL: I am now about to take a steamer for my point of destination, which you know is being done in order to smooth over the international political storm which has broken out between the United States and Mexico, and this will show you more than all my promises and all that I have told you before I left Mexico City.

"I feel proud that I have been able to foretell all these matters, and I do not doubt that I shall be able to gain your complete confidence in consequence thereof, which I want to do, as your sincere friend and ardent supporter.

"I feel certain that I shall be very useful to you in Washington as well as in New York, precisely at this time, when all your true friends ought to stand by you. I shall keep you posted about everything that I am doing, so that you will be able to appreciate fully our capabilities.

"Our mutual friend, Dr. Guillermo Zalazar, is leaving for Mexico City from the seat of operations in Chiapas and Campeche with some very valuable information for you, which you no doubt will appreciate."

Peralta above refers to organization of revolutionary movements, armed, equipped, and financed by Carranza and Mexico against the Government of Guatemala, in connection with the revolutionary leaders, Dr. Toledo, Gen. Jose Castillo, and other associates. Peralta's letter concludes:

"I also have looked into this information thoroughly, in order to denounce Estrada Cabrera (President of Guatemala), at the Department of State (United States), as a protector of hoodlums who try to alter the public order. I shall also denounce him as a fakir for having spread the news about that there exists a treaty offensive and defensive between him and the United States, which is absolutely false.

"I shall be able to prove this assertion of mine absolutely by means of a certified statement, which I will send you from Washington, and which you may use wherever convenient for your political interests.

"I have nothing further to say in addition to what I have told you already and what I have written to you, but I would feel honored by your further instructions and dispositions for the week that I shall remain here.

"Believe me to be, your most sincere friend."

Peralta, before leaving Mexico City, has made arrangements with various Mexican Government officials to have the arms and ammunition for the Central American revolutionary expeditions shipped from Vera Cruz, Mexico, into Yucatan, Quintana Roo and Campeche, also that a certain number of Mexican officers and soldiers were to be supplied by the Mexican Government to participate in the various expeditions.

The following letter shows that a party connected with the Mexican Government was to inspect the arms and ammunition supplied by Mexico for Peralta. The English translation follows:

HOTEL DILITENCIA ANNEX,
VERA CRUZ, MEXICO, *July 5, 1916.*

MR. ROBERTO DE LA ROSA,
Mexico, D. F.

MY DEAR FRIEND: Kindly do me the favor to go at receipt of this letter to all the persons that you have ready for the expeditions [referring to the revolutionary movements in Central America] which we have talked about and tell them to get ready without any further delay.

I also ask you to inspect the rifles and ammunition carefully and in person so that no ulterior difficulties may arise later on. Please also attend to what I have to say at the foot of this letter and let me know of everything that you have done so that I may take the matter up with our distinguished friend (Gen. Rosales) whom you know already, in conformity with what you think will be convenient.

I shall remain here six days longer and trust that in the meanwhile I shall hear from you with favorable reply, as the time slips away and the matter is pressing.

I am, your friend,

PEDRO GRAVE DE PERALTA.

Particular attention is called to the following letter, in which it is shown that Peralta's visit to Mexico and his conferences with Carranza at the National Palace and with other of Carranza's leading officials had been as successful as the Mexican generals at New Orleans and at Belize, British Honduras, had assured Peralta they would be. The English translation of this missive is as follows:

VERA CRUZ, MEX., *July 5, 1916.*

Sr. Gen. CARLOS VIDAL,
Quintana Roo, Confidential.

MY DISTINGUISHED SIR AND FRIEND: Aside from the valuable matters submitted by you to Consul Carlos Felix Diaz, for the purpose which you under-

stand I now have the greatest honor or communicating to you and that my mission to the National Palace of Mexico has been fully successful and that I shall sail shortly to your territory with a group of patriots and also will bring you a letter from the minister of war (Gen. A. Obregon).

You must know that myself as well as our distinguished chief, Gen. Maximo B. Rosales, the head of the Liberal Party of Honduras, wants to express to you our most sincere thanks for your important work in favor of our cause. I would appreciate it very much if you would wire our friend, Carlos Felix Diaz, in code, and let him know of our political triumph in Mexico, so that he may, in an indirect manner, instill fresh hopes in the hearts of our friends who are now in the British Colony.

Believe me to be your sincere friend.

PEDRO GRAVE DE PERALTA.

In Peralta's several conferences with Gen. A. Obregon, minister of war and marine, at Mexico City, according to Peralta's claims later, Obregon suggested the advisability of including in the hospital corps of the several expeditions various Mexican army doctors and attendants to form a nucleus of the corps.

The following letters refer to the above matter:

VERA CRUZ, MEXICO, July 5, 1916.

DR. MANUEL DE LA ROSA PUEBLA.

MY DISTINGUISHED FRIEND: We have been waiting for you here for five days, and seeing that you could not get here, even after we had wired you to that effect, I then decided to start the work together with our distinguished friend, Dr. Guzman, in order to take advantage of the little time that is left us.

You know beforehand, as we have agreed, which position corresponds to you, and we don't have to talk about this matter any further. I shall remain here some six or eight days more, and by that time I suppose that you will be here with us. Please write to your brother Roberto and tell him to answer my letter as soon as possible, since it is of the highest importance for our affairs. I am, your friend,

PEDRO GRAVE DE PERALTA.

Before the above letter reached Dr. Rosa he arrived in Vera Cruz. Peralta, on July 6, wrote him the following, written on stationery bearing "Private correspondence of the director of the military hospital, Vera Cruz:

"MY ESTEEMED AND DISTINGUISHED SIR: As the legal representative of Gen. Maximo B. Rosales, the chief of the Liberal Party in Honduras in this city, I fully authorize you to arrange for the establishment of the Red Cross service [referring to hospital arrangements for the military movements] in a thorough manner for the object which is known to you, employing only Mexican doctors under the terms of the inclosed sheet.

"I beg to state to you beforehand that any arrangements which you may make will be sanctioned by the provisional governor of the Republic of Honduras, headed by Maximo B. Rosales, whose legal representative I am. As I have said before, it will be necessary that you shall take charge of the entire outfit in the manner in which we have agreed upon already."

The "inclosed sheet" referred to, headed "Terms," is translated to read:

"Chief of the hospital service: Colonel, cash per month, \$200 silver of Honduras.

"Five doctors: Lieutenant Colonels, cash per month, \$150 silver of Honduras, with guaranty of a raise.

"Employment guaranteed for the provisional and constitutional period. The interested parties should previously state who, in case of death, should receive one-half of their salary during the aforesaid time.

"Obligations: To place themselves unconditionally at the service and under the immediate orders of the chief of same.

"If at any time before this revolution has been brought to an end these men should abandon their posts, then all obligations will cease and this contract becomes null and void.

"PEDRO GRAVE DE PERALTA."

The above-mentioned Mexican doctors were to be placed on leave of absence from the Mexican Army, but were to receive, nevertheless, their regular pay in that service from the Mexican minister of war and marine in addition to the contract terms quoted above.

From Vera Cruz, on July 6, 1916, on the private correspondence letterhead of the director of the military hospital, Peralta wrote Gen. Alvaro Obregon, National Palace, Mexico City:

"MY DISTINGUISHED GENERAL: I SHALL NEVER GET THROUGH THANKING YOU FOR ALL THE KINDNESS WHICH YOU HAVE SHOWN ME, AND I SHALL NEVER BE ABLE TO FORGET YOU. THE LIBERAL PARTY OF MY COUNTRY, AS WELL AS I, HAVE RECOGNIZED YOU THE GREAT MAN WHO HAS GIVEN HIS STRONGEST SUPPORT FOR THE ESTABLISHMENT OF THE LIBERAL RULE IN CENTRAL AMERICA, IN ACCORDANCE WITH THE HIGH IDEALS OF THE CONSTITUTIONALISTS, WHICH YOU SO SPLENDIDLY REPRESENTED IN YOUR PERSON AND THAT OF GEN. CARRANZA.

"I AM NOW QUIETLY ARRANGING THE VARIOUS EXPEDITIONS IN THIS COUNTRY (MEXICO) WHICH WILL WORK IN CONNECTION WITH THOSE WHICH I SHALL TAKE OUT OF THE UNITED STATES AND THE BRITISH COLONY, BELIZE; AND I BADLY NEED, AS YOU POINTED OUT BEFORE TO ME, THE ORGANIZATION OF A RED CROSS STAFF WITH ALL MEXICAN DOCTORS. IN CONSEQUENCE I BEG OF YOU TO GRANT ME THE FAVOR OF RELEASING DR. MANUEL DE LA ROSA FROM THE PROGRESSO IN MY FAVOR.

"DR. DE LA ROSA WILL HAND YOU THIS LETTER IN PERSON AND I DO NOT DOUBT YOUR GENEROSITY WILL NOT DEPRIVE MY MEN OF THE SERVICES OF THIS VALUABLE MAN. BELIEVE ME TO BE YOUR SINCERE FRIEND.

"PEDRO GRAVE DE PERALTA."

The following correspondence from Peralta shows that he had also been appointed by Carranza as the latter's legal and confidential spy in the United States. In addition to Peralta's continued violations of the Federal neutrality laws of the United States he now, by becoming spy of Carranza, likewise violated another Federal law, which Barnes's Federal Code, 1919-20 (p. 1667, No. 7059), defines as follows:

"Whoever, other than a diplomatic or consular officer or attaché, shall act in the United States as an agent of a foreign government without prior notification to the Secretary of State shall be fined not more than \$5,000, or imprisoned not more than five years, or both. The words 'foreign government' as used in this act and in sections 156, 157, 161, 170, 171, 172, 173, and 220 of the act of March 4, 1909, entitled 'An act to codify, revise, and amend the penal laws of the United States,' shall be deemed to include any government faction or body of insurgents within a country with which the United States is at peace, which government faction or body of insurgents may or may not have been recognized by the United States as a government."

The English translation of the letter follows:

VERA CRUZ, MEXICO, *July 11, 1916.*

DR. JORGE A. GUZMAN, *City.*

MY DISTINGUISHED FRIEND: I have the honor of communicating to you for your guidance that you have been appointed my private secretary to accompany me on all my political missions on behalf of the government of Gen. Maximo B. Rosales as a revolutionary, provisional, and constitutional government, and also on diplomatic and other missions which the first chief (Carranza) will designate for me, whose legal representative I am at the present time in the United States and in Washington.

I shall not fail to mention that as a reward for your good services you shall be awarded whatever I think advisable, with an elevated position that is corresponding to your capabilities, for his Government in the Republic of Honduras.

I am, your sincere friend.

PEDRO GRAVE DE PERALTA.

Peralta also, on June 13, 1916, sent a letter to Gen. Alvaro Obregon, National Palace, Mexico City, and labeled it "confidential":

DEAR GENERAL: I HAVE SENT YOU A LETTER WITH DR. DE LA ROSA, BUT I DO NOT KNOW WHETHER YOU HAVE RECEIVED IT. I AM VERY ANXIOUS THAT YOU SHOULD BE AWARE OF THE CONSEQUENCE OF THE INTERNATIONAL DIFFICULTY OF GETTING A STEAMER TO RETURN TO THE

PLACE FROM WHERE I CAME. BUT I CAN NOW TAKE A STEAMER ON THE 16TH OR 17TH INSTANT.

"I SUPPOSE YOU ARE WELL POSTED ABOUT MY MOVEMENTS HERE, WHICH ARE PROGRESSING NICELY AT PRESENT FOR THE BENEFIT OF OUR COMMON POLITICAL INTERESTS. THE YOUNG BEARER OF THIS LETTER IS A PERSON OF MY UTMOST CONFIDENCE. HE WILL TELL YOU ALL ABOUT OUR AFFAIRS AND I ASK YOU TO HONOR ME KINDLY WITH YOUR ATTENTION BY GRANTING ME THE WISHES WHICH HE WILL EXPRESS TO YOU, AS I AM SURE BY SO DOING YOU WILL PROTECT THE INTERESTS OF OUR CAUSE, WHICH ARE ALSO THOSE OF YOUR OWN.

"Thanking you again for your favors extended me, I remain,

"Your sincere friend,

"PEDRO GRAVE DE PERALTA,
"No. 3426 Canal Street, New Orleans, La."

Peralta, when in Vera Cruz, overlooked no opportunities for deals that meant financial profit to himself or to Rosales. The following agreement indicates that Rosales and Peralta knew within 24 hours after the former became revolutionary President of Honduras that the looting of that country would begin. The agreement was by and between an American in Mexico, W. P. Gavin, Rosales, and Peralta, and is translated herewith:

VERA CRUZ, MEXICO, *July 15, 1916.*

I, the undersigned, hereby as a representative of Gen. Maximo B. Rosales in the United States of North America and in the Republic of Mexico, grant to W. P. Gavin, an American citizen and a resident of Vera Cruz, Mexico, a special concession for the construction of the national railroad which starts from Puerto Cortez and La Pimienta, according to the plans rendered in the minister of Formento, in order to make it interoceanic, provided Mr. W. P. Gavin include in his negotiation Gen. Maximo B. Rosales and the undersigned, taking into consideration that the whole part will be divided in three shares, of which Mr. Gavin, Gen. Rosales, and Sr. Peralta will own a third each, but with the understanding also that Mr. W. P. Gavin will be the head of the whole enterprise and who will look after the financial affairs to proceed in this matter, being understood, therefore, and beforehand that whatever Mr. W. P. Gavin does in our benefit will be entirely accepted by us.

This contract should be in effect 24 hours immediately after Gen. Maximo B. Rosales has been in possession of the executive power in any condition of the Republic of Honduras. It is further understood that the said W. P. Gavin, with the above two mentioned, will control all exportation of products, live stock, etc., of the Republic of Honduras, also the importation of necessary articles for the welfare of the Republic.

PEDRO GRAVE DE PERALTA,
Representative of Gen. M. B. Rosales.
W. B. GAVIN.

Fully six months prior to the date of the agreement with Gavin, Peralta and Rosales, to keep me enthusiastic as to their cause, had promised to make me, within "a year or two after Rosales became President of Honduras," a multi-millionaire; likewise, that Peralta, Rosales, and myself would control the entire business affairs, governmental and otherwise, of Honduras for our own mutual profit.

This included absolutely the same proposition entered into between Peralta and Peralta. After Rosales won out in Honduras he was to issue \$50,000,000 worth of Honduran gold bonds, which, according to his plans, were to be unloaded on American and European bankers at a considerable discount through a selling commission, which was myself, and which would receive as payment for selling the bonds \$5,000,000 in gold. Of this commission Peralta and Rosales were to receive one-third each.

The balance of the money to be derived from bonds was to be spent by the Rosales Government in so-called public improvements in Honduras, such as railroads, highways, etc. The contracts for such work were to go exclusively to a concern to be organized for that specific purpose by myself; and Rosales and Peralta, irrespective of how excessive the bids for such work might have been, were to see that this concern received the contracts. Furthermore, they were to be secret partners in the organization. Rosales, Peralta, and myself, in one way or another, so they estimated, would have procured a

very large part of the money derived from the sale of the bonds, and which was to be split in equal parts among the three of us.

Notwithstanding the glamor of so much "easy money" coming my way, my reports to the Department of Justice Bureau of Investigation continued with regularity, and fully exposed from day to day the schemes of Rosales, Peralta, and their associates. In the end the United States was enabled to break up completely all plots in which these grafters were involved.

Before Rosales, Peralta, et al. finally succumbed to their activities, they had entered into similar arrangements to loot Honduras with three other parties, using the same bait that they held forth for Gavin and myself. My knowledge of Mexicans and Central Americans before this had taught me that these "monkey promises" were worth naught, even had I entered into their schemes in fact and they had won out.

The English translation of an original, signed document, formulated at Vera Cruz, on July 13, 1916, refers to arms, ammunition, and men from Mexico as part of one of the proposed armed expeditions against the Central American governments. It follows:

RECEIPTS FOR \$500.

I have received from Mr. Pedro de Peralta, as the representative of Maximo Rosales, the sum of \$500 (five hundred pesos) Mexican money, for my services and for the shipping of arms from Mexico to Vera Cruz, as per contract signed under this date.

R. DE LA ROSA.

VERA CRUZ, *July 13, 1916.*

The contract, translated, reads:

CONTRACT.

I do solemnly contract with Mr. Pedro Grave de Peralta as the legal representative of Gen. Maximo B. Rosales, chief of the active Liberal Party of Honduras, to get up 100 men, more or less, and 4 officers, giving them only 30 carbines, 30.30, with 100 cartridges each, and 20 Mausers with 100 cartridges each, for the expedition that is proposed to start for Honduras, of which I shall be the leader under orders from Gen. Rosales. In the meantime there shall be deposited for me \$1,500 (1,500 pesos) silver before I leave.

R. DE LA ROSA.

Witness:

TEO. G. SEFA,

J. A. GUZMAN.

Carranza, according to Peralta's statements, in addition to the \$50,000 cash which he received from the Mexican Government through the Banco Nacional de Mexico, the Mexican Government arranged to send a fleet of five small boats to Quintana Roo to be used by the Central American revolutionists.

At a later date there were shipped from Vera Cruz to Quintana Roo the arms, ammunition, and other war equipment which was to be supplied by the Mexican Government to Gen. Rosales and his revolutionary allies. This consisted of naval cannon, several pieces of field artillery, shells for same, and between 2,500 and 3,000 rifles, and a large supply of bombs. Likewise in excess of 1,000,000 cartridges for these rifles were included. All of these were sent to Col. Carlos Vidal, Mexican military commander in Quintana Roo. The war equipment consisted also of a wireless outfit and a large quantity of hospital supplies, clothing, shoes, etc.

An opportunity was afforded me at a later date to verify positively the fact that Carranza had supplied arms and ammunition to the revolutionists of Central America. The later reports showed that the supplies were a hundred times over the amount that could have been used by Carranza's military forces in the territory at Quintana Roo.

During June, July, and August, 1917, the Felixista Mexican revolutionary leaders, through one of their principal supporters, at that time in Guatemala, learned of this large consignment of war material in Quintana Roo and submitted a plan to the Felixista headquarters junta at New York City for its approval. This scheme was for the Felixistas to outfit an expedition from Livingston, Guatemala, and via boat to attack and overpower the Carranza garrison in Quintana Roo and capture for their own movement this war outfit.

Before Peralta left Vera Cruz in 1916 he sent the following cablegram to Gen. Maximo B. Rosales, at 116 South Hagan Avenue, New Orleans, La.:

JULY 20, 1916.

RAMON LARA (Gen. Rosales code name):

Send me immediately Perez (code name for Ramon Diaz) with money for the plantation, placing first money as formerly requested.

Peralta, before leaving Vera Cruz, had sent Gen. Maximo B. Rosales a written report and had instructed him to send Ramon Diaz and Ladislao Santos, both parties Hondurans, immediately to Vera Cruz to act there as confidential agents of Rosales and Peralta. The following is part of the code devised by Peralta and Rosales for use of their confidential agents in Vera Cruz:

Code word.	Decode.
Terminado-----	We can not get a boat for the voyage.
Alberque-----	I am sending you a boat for the voyage.
Saludole-----	The war equipment has left.
Recuerdos-----	Get your men ready.
Recado-----	I am getting my men ready.
Mandene-----	I have my men ready.
Felisidades-----	The north coast of Honduras is watched by American boats, be careful.
Canado-----	The Governor of Honduras has the ports prepared
Tarde-----	The commander of the port interposes difficulties.
Dies-----	I have 100 men ready.
Viente-----	I have 200 men ready.
Trienta-----	I have 300 men ready.
Bien-----	They are waiting for us on the coast of Honduras.
Siento-----	I have bad news from the coast.
Dineero-----	I am leaving with the expedition.
Metioro-----	I am leaving for the execution of the arranged plans.
Aceptado-----	I am ready and only waiting for the war equipment.
Mezolado-----	Where do you want to land?
Novadade-----	We are ready and shall leave soon.
Mision-----	Invasion prepared.
Cumplida-----	We have good leaders and good men.
Titulos-----	We are organized at Payo Obispo.
Wesculiana-----	We lose out.
Cartas-----	We have Omoa (a town in Honduras).
Mercaderlas-----	We are marching on San Pedro.
Salimostien-----	We received money from the boss.
Malas Finacas-----	We have a great deal of difficulty.
Chivastoco-----	We left for the attack.
Cudiado-----	All hands are ready.
Salco-----	Rise over there and attack Tela.

In the following code table, the figures behind initials indicate the date of an invasion, the month to be prearranged:

"A. 7; B. 8; C. 9; D. 10; E. 11; F. 12; G. 13; H. 14; I. 15; J. 16; K. 17; L. 18; LL. 19; M. 20; N. 21; O. 22; O. 23; P. 24; Q. 25; R. 26; S. 27; T. 28; U. 29; V. 30; W. 31; X. 1; Y. 2, and Z. 3."

Another one of Gen. Rosales's code names was "Mike Smith." One of Peralta's code names was "Otto Hawkins," and my name in their code was "Andrew."

The following is a translated copy of cablegram sent by Peralta to his wife from Vera Cruz, Mexico, July 6, 1916:

ADELA A. DE PERALTA,
No. 3426 Canal Street.

We are doing right. Punish me with your silence in exchange for my orgies. Without steamer, without anything, I shall leave airplanes.

PEDRO.

Peralta sailed from Vera Cruz on July 16, 1916, by steamer *Dade*. He arrived in Galveston, Tex., on July 20. He then received the following Western Union telegram from his wife:

NEW ORLEANS, July 19, 1916.

PEDRO GRAVE DE PERALTA,
Steamship Dade, Quarantine, Galveston.

I am sick. When will you arrive there? General asks me urgently for credit. We salute you.

ADELA.

The reference to the general means Rosales, who was asking Mrs. Peralta for information concerning funds received by Peralta from Mexican Government officials.

Peralta sent the following message in reply:

STEAMSHIP "DADE,"
Via Galveston, Tex., July 20, 1916.

ADELA PERALTA,
No. 3426, New Orleans.

Why are you sick, little one? Will be home Monday. Tell Rosales.

PEDRO.

On his way to New Orleans from Galveston, Peralta sent his wife this telegram:

HOUSTON, TEX., July 22.

ADELA GRAVE DE PERALTA,
No. 3426 Canal Street, New Orleans.

I shall take coffee with you to-morrow. I embrace all of you, and kiss for me my little ones.

PEDRO.

Peralta arrived in New Orleans over the Southern Pacific Railroad from Houston on the morning of July 23. Before leaving Vera Cruz he had sent me word that he was returning to the United States via Habana and New York City, and that he would not be back in New Orleans until after September 1. Various telegrams passing between his wife and himself as mentioned hereinbefore and which reached me from a spy I had planted near Mrs. Peralta and who had the confidence of Mrs. Peralta, however, posted us thoroughly as to Peralta's exact movements and he was very much astonished to see me when I called at his home on the afternoon of July 23.

At this time Rosales and Peralta, as shown hereinbefore, considered it advisable to keep entirely confidential their plans and negotiations with the Mexican Government. Peralta's explanation to me on the afternoon of my call, regarding his Mexican visit, and with his usual veracity, was:

"After I left New Orleans I went to New York. A day or two after I arrived there I received a cable that my brother in Habana was dangerously ill. I went there immediately. After I had been there a week I learned of an excellent business opportunity in Mexico. So I went there."

Peralta at that moment had no idea that I was thoroughly familiar with all details regarding the real purpose of his visit to Mexico and of his compromises with the Mexican Government. Nor did he understand until several weeks later that I had verified all this through the Guatemalan spy, Mrs. Concho, who Estrada Cabrera had foisted on him in Vera Cruz.

Giving Peralta enough rope to entangle himself, I, at this time and for several weeks thereafter, "played" with him while he remained in ignorance of my information concerning him and his secret deals with Mexico.

On July 23, 1916, from New Orleans, Peralta telegraphed Gen. Rosales at San Francisco, translated as follows:

MAXIMO B. ROSALES,
No. 1528 Sutter Street, San Francisco:

I just arrived and bring letters. I bring something very important. We salute you sincerely.

PEDRO.

The "letters" referred to above were missives from President Carranza, Gen. A. Obregon, Candido Augilar, and other Mexican officials assuring Rosales

of their complete belief in his ability to launch and carry out Carranza's plans for the overthrow of various Central American Governments.

The "something" referred to by Peralta as "very important" was the money which he had received from the Mexican Government for the Rosales movement. Peralta, as we learned later, also on July 23, 1916, wrote Rosales a full report of his negotiations with the Mexican Government. He also told Rosales it was most important that he come to New Orleans immediately.

On July 24, 1916, Peralta telegraphed as follows:

MAXIMO B. ROSALES,
1528 Sutter Street, San Francisco:

I send you certificate, Government credit, with documents that you asked Adela for. I shall write you.

PEDRO.

On July 28, 1916, No. 1830, Western Union, Rosales sent following wire to Peralta at New Orleans:

It will be difficult for me to leave with family two weeks earlier. I am waiting for the referred documents.

M. B. ROSALES.

Gen. Rosales left San Francisco with his wife and two children on August 14, 1916, arriving in New Orleans over the Southern Pacific Railroad at 6.55 o'clock p. m., August 20. Peralta and myself met him at the depot and took him in a motor car to Peralta's house at No. 3426 Canal Street, where he resided with his family for three or four weeks, later moving to a furnished house a block away, No. — Hagan Avenue.

Rosales, upon his arrival in New Orleans, showed Peralta correspondence he had had with other parties concerning their proposed revolutionary movements as exchanged with his supporters while Peralta was in Mexico. These letters included the following from Ramon Cardon, one of Rosales's principal and confidential lieutenants in Honduras, and dated May 14, 1916, from La Ceiba:

ESTEMED GENERAL: The trip of my friend, M. Mejla, of this city, affords me the great opportunity to write you. It is perhaps a matter of importance, but above all, I am sincere.

After your personal well-being, which I fervently desire, my General, I come as a loyal friend of yours to lay the following before you:

Since your absence from the country, your true friends and the writer, who have knowledge of the great saviour project, which would be initiated under your command, our attitude from that time was desperate and active, to the point that it became general and overflowed with sympathies, not on the part of the people only, but also by men of real importance all over this zone.

Therefore, since you put foot on North American soil, we have awaited you one time or another, in order that the country—the country villified and sacrificed—might be redeemed and vindicated. Unfortunately, so passed the time, and that spontaneous and ardent will of the Honduran people has not yet become realized, but, nevertheless, it is not exhausted; our active energies are with you without vacillation, without lies, and without egotism.

General, despite the scant reserve on the part of some of your agents in such a very delicate matter as the one in question, despite some misfortunes, your mere presence in whatsoever place on this coast might have been and would be at the same time, cause for great rejoicing among your friends, and even the masses, without organization, would cooperate in the assured triumph of our cause.

The Honduran people acclaim you. The people want men of integrity like you. They discard at each step this unworthy pack of clowns and usurers of the State.

General, to be indifferent before the misfortunes of the country, to be indifferent before the petitions of the people also, in these moments of agony, is to be ungrateful. And of this the minions, the despots of to-day, are capable. Meritorious men like you and those of great antecedents sacrifice everything for the country and for the race. It is sufficient to remember, General, that dissatisfaction has become general in the country, to the extent that the same chiefs who yesterday worked with the present Government are to-day its worst enemies.

General, in order to carry out our serious mission, we need men of responsibility and influence, and you should remember among your devoted and active

partisans Gen. Teofilo Rosales, Col. Roman Diaz, Col. Lucas Acosta, Branlio Valladeres, Frederico Becerra, and other in this city.

Gen. Luis Isanla de Trujillo, who a short time ago disappeared and is believed to be in Guatemala or Belize, Col. Manuel Matute and his brothers, who used to reside in Colorado, to-day they are in St. Pedro Lula, and Tela T. Rosales is his devoted partisan—of that we have proofs. If before this he was with Chico Mejra or with Bertrand, since last year, they have had a complete falling out.

Instead of being favored he has been annoyed to the point that in September last they wanted to restrict him to Tegueigalpa. With him it is possible to have a direct understanding, because he is a man of prestige. Depinto, in the islands of Bahia, Frujillo, and Toro and his alliance with us will be of the greatest importance. He remains ready and awaits your orders.

With the good communication which you could establish on this road, everything would be arranged with full surety of success. You must know also and believe that the country in general is going into bankruptcy, in matter of finance as well as in everything else; that the chiefs of the governmental departments, as well as of the Government itself, are the true exploiters and nothing remains for the people; not even the right to the fight for life, since all the business is monopolized by them.

At present there is nothing new in La Ceiba; the brothers of the President, with his assistance, sprung something that is very rare among us, demanding of the city 20 blocks, bought by private individuals from their (brothers') families, on the ground of defective titles. Houses have been built on these lots and they are a part of the city.

Why do they thus injure the public, and why should they lose their land and their improvements? All this and other things cause great dissatisfaction to reign.

General, you must remember that on account of the happenings during the last elections, the outrages to certain persons and to the people in that they were treated as prisoners, and even now at this time I have two friends in trouble, who suffer confinement with all its filthiness. It would be a long task to tell you to-day the series of happenings which pass, but there will come a time to do it.

Permit me to tell you that a great many of your friends have disappeared from the country. No news from Tela—many went away. Lately the intelligence of the death of the brave Col. Soriano in Belize has been received with great sorrow—a person with a great future.

For this reason those who accompanied you lie still in Belize, distracted and in great difficulties. They went to Gen. F. Rosales, asking him if he was ready to cooperate in this matter. While, without notice, he remained firm and serene when the time came, having respect for his oath.

My General, in one word, I, as an unconditional partisan, assure you that everything here is ready; more men than necessary, all in excellent spirit, which is indispensable. It is no more the money, but the materials of operation and your orders combined.

The Government officers assure that a strict vigilance is kept for you and your agents, and that to-day orders for your arrest, upon stepping ashore in Honduras, have been issued. A short time ago Janire R. Farcios de Fega visited us and returned there on Wednesday of last week, and he told us that he was expecting that soon something would materialize, and that you would come, and that he, together with the rest of friends, would remain ready.

My General, with these lines I conclude my letter, and, if it is convenient to you, answer, or if you wish to communicate with Diaz and Rosales, send the letters with bearer, with direction to Ramon Cardon, Rec. a Dona Aua de Mejia. By this means there is full security and confidence.

With kindest regards, I am, your friend,

Rosales also showed Peralta a copy of a letter written by him on May 13, 1916, from San Francisco to Manuel Lobo, at that time one of his partisans in New York City, the translation of which follows:

MY DEAR FRIEND: I have just received your highly esteemed letter of the 10th instant, your silence having worried me for more than two weeks. I have been receiving correspondence from the friends of Honduras, who are in despair about the situation of the country, for there is an alarming division among the Government officers themselves, there being no confidence in anything.

There are difficulties which Bertrand has on every hand, the very bad economic situation, and no one wishes to give him a cent, the banks which let him have money and the Rossner firm having closed their accounts, and they have no money to pay the employees.

They even have sold the steamer *Barahona* at New Orleans for \$7,000, and of this they paid \$4,000, which they owed for repairs, and it was under seizure because they had nothing to pay with. The boundary commission with Guatemala escaped (barely missed firing shots at each other) and suspended their relations.

Relations are strained with the Guatemalan Government. With Salvador they are bad also, owing to boundary affairs, a question having been raised recently.

Mariano Vasquez, with the representative of this Government at a banquet at Tegucigalpa, received a terrible insult, and for this reason the representative returned to Salvador and the relations are strained. With Nacaragua also they have solved the boundary question, and the matter has reached such a stage that an escort, commanded by Bertrand, with a commander appointed for La Mesquitia, was shot at by the Nicaraguans, and thus the matter remained.

It would take too long to enumerate to you the events; the coast is in a lamentable state; there is no sale for fruits; the railroad of the Government is almost suspended and has no work; only twice a week does a train run. The superintendent resigned twice, and they did not wish to accept the resignation. Luis Bergman (and) the greater part of the employees are discharged.

Everybody is crying war, and the change of the Government, and they think of this only. Many people are leaving. At Belize there is already a large colony awaiting the moment, and for this and for other reasons it is of exceeding (importance) to lay the bases.

The clipping you sent me about the affairs at Guatemala; the press of this place also has published something about the matter; I think there is something; but all these complications do not tend to favor our work, for which reason we must not lose time.

Immediately after Rosales arrived in New Orleans, the Rosales junta in that city became one of the most active revolutionary headquarters that ever has operated in the United States. The homes of Rosales and Peralta, only a block separating them, were filled constantly with revolutionary leaders and sympathizers with their proposed movements in Nicaragua, Guatemala, and Honduras.

Enjoying their confidence in every detail, I was in nightly conference, from early evening until morning hours, with the ringleaders of the plot and all their aids. In this manner the United States was enabled through me to keep thoroughly posted as to all their plans.

They at this time perfected their spy and courier system by which they sent and received through their "grapevine" messengers complete information from their allies in Central America, Mexico, and British Honduras who were to cooperate in these movements.

Rosales and Peralta then adopted a time-honored plan among revolutionists whereby they endeavored to seduce officers of Central American Governments. These officers, dazzled by promises of enormous loot, were to desert their Governments at a given time and join the ranks of Rosales and Peralta.

Rosales and Peralta, personally and through their friends and supporters in Honduras, made many such propositions to army officers in Honduras and Guatemala. One of the leading Honduran Army commanders was Gen. Antonio Mendes Monteroso, at that time military governor and commander at La Ceiba.

This general was one of the most celebrated military leaders and revolutionists in Central America. He was not, however, at this moment particularly enthusiastic regarding Rosales. The latter, therefore, decided to prevail on him through the Government of Mexico to participate in the Central American plans.

Monteroso was born on September 2, 1869, at Guatemala City. When 16 he received a commission as an officer in the Guatemalan Army. Due to his political aspirations some 17 years ago he affiliated himself with the Guatemala Revolutionary Party and was one of the leaders of a revolutionary movement out of Nicaragua and Honduras against Estrada Cabrera, President of Guatemala.

A few years later Monteroso was said to have been a participant in another revolutionary movement against Guatemala. Both movements were defeated, and Monteroso changed his base of operations to Nicaragua and rose to the

rank of general in the army of that country. His principal military work in Nicaragua was as general and second in command of troops under Gen. Emiliano Chamorro, who in 1910 succeeded in forcing Zalya, the military dictator, out of Nicaragua, and who as a political exile died recently in New York City.

Monteroso then organized and led the troops which in 1911 started a revolution from the Nicaraguan border against President Davilla of Honduras. This resulted in placing in power as President of Honduras Manuel Bonilla. From then on Gen. Monteroso was extremely active in Honduran military and political affairs. He served as military governor and commander at Tegucigalpa, the capital of Honduras, and also as governor and military commander at various prominent garrisons in Honduras, such as La Ceiba and Puerto Cortez.

The Mexican Government, Peralta and Rosales, in combination with various Guatemalan and Nicaraguan revolutionary leaders, decided that in so much as Monteroso had participated in movements against Guatemala and in other Central American countries, he therefore would add a great deal of strength to Carranza's plans to procure control of Central America. Gen. Monteroso was approached openly with a proposition to participate in Carranza's plans, being sounded out by one of Carranza's personal representatives. The following signed statement by Gen. Monteroso confirms this claim:

"During the year 1916, President V. Carranza of Mexico, through a confidential representative, made me the proposition mentioned hereinafter. At that time I was military governor and commandant for the Government of Honduras at La Ceiba.

"The confidential agent of President V. Carranza of Mexico was Senor Gustave Solano, who at the time this proposition was made to me was at New Orleans, La. Knowing that I was acquainted with Alfredo Quinones, a native of Salvador, Gustave Solano, who is now private secretary of Espinosa Mirelles, the governor of the Mexican State of Coahuila, therefore authorized Alfred Quinones to propose to me in writing, which he did, that I would receive a special commission from President Carranza as the official, directing head of a revolutionary movement which President Carranza wanted me to start in Honduras and operate out of that country against the Government of Guatemala.

"Gustave Solano, by his credentials and otherwise, fully proved to Alfredo Quinones his complete authority to act for President Carranza in this matter, and Alfredo Quinones in turn proved to my entire satisfaction regarding the complete authority of Gustave Solano and himself to act in this matter.

"I was assured by these representatives of President Carranza that the Government of Mexico would finance this revolutionary movement to any extent, no matter how high the expenses might run, and that the entire revolutionary movement would be completely outfitted with all necessary arms, ammunition, artillery, machine guns, machetes, and all other war supplies, equipment, and any financial payment for my services I might designate.

"Furthermore that President Carranza would supply me with two or more steamships which would be used in the revolutionary movement against the Guatemala coast, was agreed. This proposed revolutionary movement, so I was informed by Gustave Solano, through Alfredo Quinones, would include a large number of Mexican Army officers and soldiers.

"I was also informed at that time by these representatives of President Carranza that this revolutionary movement was part of the complete plans of President V. Carranza, of Mexico, to overthrow, by a revolutionary movement on the part of Mexico, Estrada Cabrera, President of Guatemala, and was to be the opening movement on the part of Mexico to become the domineering power in all of the Central American countries.

"I also at that time understood from these parties that the financial backing and total expenses of this proposed revolutionary movement against Guatemala, as offered to me through these parties, who were the confidential agents of President Carranza, was to be paid with money furnished for this purpose to President V. Carranza of Mexico by H. Von Eckhardt, the German Ambassador to Mexico City.

"So that I would be able to secure the full plans of Mexico regarding this proposition, therefore, for a considerable time, I conducted negotiations regarding these matters with Gustave Solano through Alfredo Quinones, and after I had secured complete information regarding same, I then emphatically told these parties to inform President Carranza and everybody else implicated in this proposition that under no circumstances would I be a party to any such proposition, first on account of the fact that I was a native of Guatemala, and

always had been and would be the loyal supporter of my native country, and never, under any circumstances would I cooperate with Mexican forces against Guatemala, and in the second place, inasmuch as I was a strong admirer and personal friend of President Cabrera of Guatemala, that for no amount of money or promise of future political reward or power, such as was promised me to handle this revolutionary matter, would I ever be connected with any revolutionary plans against him. Furthermore, even if I were against Mr. Cabrera, I would never have anything to do with a proposition that was or would be financed or supported by Germany or any German interest.

"On account of the rumors which seem to be well established regarding the fact that the Government of Mexico is now said to be financing and cooperating with a revolutionary movement against the Government of Guatemala, which is to be started in the near future out of the Mexican States of Chiapas and Tabasco, I have further reasons.

"Believing now is the time to inform fully President Estrada Cabrera regarding these matters, therefore I have made this written statement as to the facts mentioned herein and same has been signed by me at New Orleans, La., on this 8th day of September, 1919.

" (Signed) ANT. M. MONTEROSO."

Carranza, Rosales, and Peralta, in making the above-mentioned proposition through Carranza's personal representative to Monteroso, made one of the most serious mistakes regarding their Central American plans. For, unknown to them, Monteroso had made his peace with Estrada Cabrera, of Guatemala, and at that moment was a strong ally of the latter.

Through Monteroso the Governments of Honduras and Guatemala, in addition to information they had already regarding Mexico's intrigues and that of Peralta and Rosales, procured many additional facts bearing on these schemes.

The United States Government at this time was informed in my reports regarding the presence of Gustave Solano in New Orleans and his activities in connection with the Rosales junta. I also knew of Carranza's plans to seduce away from their Governments the principal officers in the Honduran and Guatemalan Armies. But at that time it was deemed inadvisable to flush the game and secure possession of documentary evidence involving these parties.

On or about August 16, 1919, via Vaccaro Bros. steamship *Ceiba*, Gen. Monteroso arrived in New Orleans to engage medical attention for old wounds, received by him in 20 years of revolutionary action. While there he resided at the residence of Miss Clotilde Martinez, No. 1230 Joseph Street.

Through mutual friends I met Gen. Monterosa, and after becoming friendly with him brought up the subject of Carranza's plans during 1916 and 1917 to overthrow Central American Governments. I told him that I was thoroughly familiar with Carranza's offers to him to participate in this plot.

Gen. Monteroso very frankly admitted the entire matter and related to me the facts mentioned in his statement. I then told him I wanted to bring this matter to the attention of a strong friend connected with the United States Government, and asked him if he would reduce his verbal statement to writing and sign same. He agreed to do this.

So here could be no doubt regarding Gen. Monteroso's statement, I had one of his closest personal and political supporters in New Orleans, Rafael H. Valle, certify to the statement, and Valle also signed same, as the reproduced copy shows. Valle is now secretary at Washington of what is known as the Border Dispute Commission of Honduras.

Peralta and Rosales, in connection with their junta work at New Orleans, began to arrange speedily the various armed expeditions, one of which was to leave New Orleans, another from near Belize, British Honduras, and a third from Payo Obispo, in the Mexican Territory of Quintana Roo. At this time their plans were switched, whereby, with arms, ammunition, boats, and other supplies of war, purchased in the United States with Mexican and German money, they would attack the Honduran ports of Puerto Cortez, Puerto Barrios, and La Ceiba. And while they were carrying on operations and bombarding from water, their friends in the various towns and circumjacent to them were to uprising and attack by land.

After these three ports were in possession of the Rosales revolutionists their friends and supporters in many other towns throughout the entire country were to rise against the Government. They stated that it would then be a question of only three or four weeks before the capital would be in their possession and that Rosales would then be revolutionary acting president of Honduras.

The Honduran Congress would be immediately convened, and Rosales, backed by his revolutionary army, would be in a position to domineer the actions of the legislative body and Congress would immediately proclaim Rosales the legal active president pending an election. The election, due to Rosales's military power, would, of course, as they said, automatically place him to succeed himself. Their plans, as soon as Rosales became revolutionary president, contemplated additional arms, ammunition, supplies, and other sinews purchased in the United States with Mexican and German money supplied Rosales, and which he could have had shipped from the United States if he had been in charge of Honduras.

Additional quantities of arms, ammunition, and boats, the latter fitted out with rapid-fire guns, were to be supplied in large consignments from Mexico. They were to be concentrated in the Honduran ports on the Atlantic Ocean and at Amapala on the Pacific. Rosales, then in Honduras, proposed to raise, arm, and equip an army of 25,000 men and, at a given time, this army from Honduras was to invade, from Honduras, Guatemala and Nicaragua.

The boats supplied by Mexico were then to attack the Guatemalan ports of Puerto Barrios and Livingston on the Atlantic, and San Jose on the Pacific; likewise the Nicaraguan ports of Bluefields on the Atlantic, and Leon and Managua on the Pacific.

While Guatemala was being assailed on the Atlantic and Pacific coasts by boats supplied by Mexico and under control of Rosales and his Central American leaders, and invaded by from ten to fifteen thousand Honduran troops, officered for the great part by Mexicans, Carranza was to attack Guatemala from the south with an army of between six and ten thousand Mexican troops, which were to operate out of the Mexican State of Chiapas.

The Guatemalan revolutionary junta in Mexico was at this time arming and equipping a revolutionary group in that part of Guatemala which is known as the Peten, under the command of Dr. Eusebio Toledo Lopez, whose seconds in command were Gen. Carter and Prado Romana.

Among the most active of the Guatemalan revolutionary junta in Mexico then was Gen. Jose Leon Castillo, who had been provided with funds by Villavicentio, Mexican consul general at New Orleans, and who had been sent by Villavicentio to Mexico.

Gen. Juan Ignacio Toledo, Gen. Luis F. Obregon, Gen. Jose G. Salazar, Gen. Isidoro Valdez, Dr. Jose Llerena, Max Tejeda Jose Prado Romana, Dr. Jorge Guzman, the party Peralta appointed as his private secretary when in Mexico City, and who is well remembered in New Orleans as the person who wrote a book at the request of Villavicentio which was the most extreme attack on the United States and on President Wilson ever written or prepared, and Dr. Felipe Obregon, who were among the principal members of the Guatemalan revolutionary group which planned and perfected the movement out of Chiapas and which was to be carried through by the troops of Mexico.

Dr. Felipe Obregon was the active head of the Guatemalan junta in Mexico, and his first assistant was Lic Francisco E. Toledo. Their headquarters were at No. 3 de Guerrero, No. 64 Bis, Mexico D. F.

Dr. Guzman, included in the above list, it will be recalled, was appointed private secretary to Peralta when the latter made his visit to Mexico to confer with Carranza and others concerning the Central American movement. Dr. Guzman also attained notoriety in New Orleans as the author of a book, written at the request of Villavicentio, and which was regarded as the most extreme attack on the United States, and on President Wilson, ever written or prepared by a Latin American. I contrived to gain proof sheets of this book and submitted them to the Department of Justice, on the receipt of which the State Department warned Villavicentio to refrain from circulating the work.

At the time Mexico, through Rosales, Peralta, and their associates, planned to invade and overrun Guatemala, from Honduras, with an army of 10,000 men, Rosales, with Nicaragua revolutionists, was to invade Nicaragua. Simultaneous with this invasion, the Nicaraguan ports on the Atlantic and Pacific were to be attacked and out of Costa Rica an expedition under the personal command of Dr. Julian Irias was to invade Nicaragua inland.

These revolutionary plans, involving Central America, were scheduled to take definite shape and the three proposed expeditions were to begin to function during the latter part of September, 1916. The Honduran Government, however, about this time, officially, through their minister at Washington, complained to the State Department regarding the revolutionary activities of Rosales, Peralta, and their associates. It was claimed that the State Department assured the Government of Honduras that if any of these revolutionary

expeditions landed in Honduras that United States marines would be landed at once and would block completely the efforts of the revolutionists.

Rosales and Peralta, so they claimed, were told by their legal advisor in Washington that even if they were successful in landing their expeditions in Honduras, and before they had time to secure control of that country, their plans would be interfered with by the landing of American marines. They also averred at this time that other advisors, including prominent business men in New York City, and elsewhere in the United States, and who were not familiar with Rosales's Mexican connections, informed them that it would be best that they hold up their movement, pending the outcome of the presidential election in the United States in November of that year.

Rosales and Peralta, believing that the Republican Party would be victorious, and that if they did the probabilities were that a Republican President would immediately formulate a strong Mexican policy, resulting in the downfall of Carranza, and if this indeed did happen and it was shown that Rosales had become revolutionary President of Honduras, through the efforts of Carranza, and that in turn Rosales, for Carranza, whether successful or not, had endeavored to overthrow the legal Governments of Nicaragua and Guatemala, the Republican President, on his inauguration, would bring about the downfall of Rosales, together with that of Carranza.

They therefore decided to postpone all their revolutionary plans until after the presidential election in the United States.

As customary with such revolutionists they then began "playing both ends against the middle" and posed as political exiles, holding that they had been persecuted and evicted from their native country, and set up claims that Bertrand had been elected illegally as President of Honduras. The new plan included spreading of propaganda against the Presidents of Honduras, Nicaragua, and Guatemala.

The propaganda included efforts on their part to prepare an alibi which would give them reason to explain at a later date to the United States Government the necessity for the Rosales revolutionary movement in Honduras. This embraced the following letter from Rosales to the United States Department of State:

WASHINGTON, D. C., December 26, 1916.

HON. ROBERT LANSING,

Secretary of State.

MY DEAR MR. SECRETARY: As a representative of a majority of the citizens of Honduras, I desire to call your attention to the following statement of facts and conditions as they now exist in Honduras.

As you have no doubt been informed, Dr. Francisco Bertrand has recently been elected President of Honduras and takes office February 1, and it is this alleged election that I desire to call to your attention. The majority of the citizens of Honduras are adverse to his taking office for the reasons hereinafter stated.

The election is illegal under the constitution, which specifically provided in article 104:

"A citizen who has held the presidency can not be reelected nor elected vice president for the term immediately following, neither can his blood relatives four times removed or two times removed by marriage be elected president or vice president."

This exclusion could not be expressed in more positive terms. It not only refers to a citizen who has held the presidency but includes any blood relatives or relatives by marriage as specifically expressed. Article 105 of the constitution states:

"No citizen who may have held the office of president of the country within the last six months of his constitutional term of office, nor any relative referred to in the previous article, shall be eligible for reelection to this office."

This provision is likewise forcibly expressed.

Article 106 of the constitution states:

"In case of the permanent absence of the President of the Republic, the executive power shall fall upon the vice president, and in case of the absence of the vice president the office shall go to the designates in the order of their appointments."

It is by virtue of article 106 that Mr. Bertrand is seeking the color of right for his election.

Six months prior to the election he took what might be termed a furlough from office, but did not, in fact, relinquish the office of president, remaining the entire time in the executive mansion and availing himself of all the privileges

of this high office, even as to the guard of honor, thereby seeking to evade, as far as possible, the purpose and meaning of this section.

During this entire period he carried on a very extensive and vigorous campaign for reelection, going so far as to suppress any and all newspapers which dared disavow his right to reelection, positively forbidding free speech, and incarcerating many of the leading citizens of Honduras who dared express themselves in any way adversely to his desires. Officers of the army were dismissed and no one, whether civil or military, was allowed to do anything that would in any way affect his plans.

This dictatorship has brought about a dreadful feeling of unrest in all classes. The people of Honduras are proud and jealous of their constitution, it having been attained after a series of revolutions that cost thousands of lives and millions of dollars, and they do not feel that at this time it should be in this manner trampled under foot. They therefore are appealing to you to use your good offices to bring about a peaceful solution of this problem that threatens to deluge them again in civil war and wreck what is now a peace-loving and prosperous country.

This is not a political matter nor simply one of party, but a nation-wide movement for the protection of their rights, and I am inclosing herewith opinions as to the unconstitutionality of this election from men whose friendship toward the United States is unchallenged. They are as follows:

Dr. Jose Maria Ochoa, Velasquez, ex-minister of RR. EE; Dr. Jesu Bendana, ex-subsecretary of RR. EE; Dr. Federico Ucles, ex-magistrate of the Supreme Court of Justice; Dr. Felipe Calix, ex-magistrate of the Supreme Court of Justice; Dr. Jesus M. Alvarado, ex-magistrate of the Supreme Court of Justice; Dr. Salvador Aguirre, ex-magistrate of the Supreme Court of Justice; Lic. Guillermo Rivera, ex-magistrate of the first court; Lic. J. Jesus Alvarado, ex-attorney general of the first court; Lic. Jose Maria Sandoval, ex-judge of the civil and professor of administrative justice; Lic. Federico Canalee, ex-subsecretary of the ministry of justice and judge; Lic. Cristobal Canales, ex-administrator of taxes; Dr. Isidoro Martinez S., ex-deputy of the National Congress; Dr. Pauline Valladares, ex-deputy of the National Congress; Dr. Teodoro Boquin, ex-judge; Dr. Prudencio Martinez and Dr. Pedro Amaya.

The citizens of Honduras most naturally look to the United States for the protection of their rights. President Wilson has many times expressed publicly his desire to maintain peace in these Central and South American Republics, and he quite recently in a public address stated that the United States would recognize only legally constituted governments, and we have been inspired by his attitude to present this matter in the hope that the United States will take some action to prevent this very apparent injustice and direct violation of our constitution.

I think that from a perusal of the above you can not help but be of the opinion that if a President should be able to take a furlough for six months preceding an election that the tenure of office could be continued indefinitely to the utter disregard of the constitution, and defeating not only the letter but the intent of this provision, which is sufficiently plain to show that it was the desire of the framers thereof to prevent a man succeeding himself in this high office.

I shall be most happy at any time that you may find it convenient to call on you and go into this matter in detail and furnish you with overwhelming proofs of the merit of our claim.

I am represented in Washington by John Doyle Carmody, Esq., attorney and counselor at law, who will in my behalf receive any communication that you desire to transmit.

I am, sir, with consideration of the highest respect,

Your obedient servant,

M. B. ROSALES.

At this time the Guatemalan section of the Rosales junta from New Orleans and from Mexico City began circulating large quantities in the United States of Guatemalan revolutionary propaganda, of which the following, both in English and Spanish, is typical:

"HORRIBLE SITUATION IN GUATEMALA—VICTIMS OF ITS PRESIDENT.

"The rumors reaching us from every corner of Central America, in a manner clearly denoting a lamentable protestation, assure us of the fact that the mandatory of the unfortunate Republic of Guatemala, Manuel Estrada Cabrera,

is hastily making ready to effect his fourth reelection to the magistracy of that country, and, laboring under such impressions, the reader can easily imagine the pseudopantomime or dumb show which awaits a helpless people, who, indeed, deserve better days, by forcing to the ballot box disguised, destitute Indians and armed soldiers of the nation and the gentle citizens, who will no doubt go to the polls 'voluntarily,' under the pressure of the lash and the threatening point of the bayonet.

"By the time the coup d'état begins to take the form of reality, we shall have our pens in line, ready to strike at this fallacious election, and in the meantime we shall take pleasure in giving full account in the extensive English language of the ignominious and celebrated personage who actually occupies our minds, so that here in the United States proper the people may arrive at their own conclusion, no matter how remote, of the caliber and instinct of the ruler of Guatemala.

"As the reader turns over these pages he shall read of the 'victims of Estrada Cabrera,' accusing vehemently the horrible situation of Guatemala and the painful via crucis the country has been going through for a period of 17 years of semipiternal terrorism.

"It is a well-known fact that Estrada Cabrera has extinguished unscrupulously and entirely ruined our foreign credit. He has in the same way emptied the public treasury by transferring the cash to places of his own selection; he has brought the standard of the nation to so low an exchange as 60 to 1, and has converted our institutions of learning into regular centers of corruption and espionage.

"He has granted to foreigners the mines of the country under all sorts of concessions, regardless of the intrinsic rights of third persons. However, he has, in turn, presented us with his generous instinct in the persons of the widows and orphans, who weep sadly for the surreptitious disappearance of their beloved ones, and, as a culmination of his heroic achievements, he has erected the numerous necropoli for the interment of his defenseless victims.

"It is also a plain truth that he has brought his hegemony and state of terror to bear upon the neighboring Republics of Central America, trampling upon their last remaining vestiges of independence and liberty. He has to-day an army composed of his degenerated followers, who know no pay day, it being a matter of regret to notice how foreign visitors are shocked on seeing them shoeless, hungry, and ragged, exchanging their swords for nourishment, and at the same time hiding with shame their worn-out uniforms.

"He has substituted the legislative and the judicial bodies with herds of eunuchs, who enjoy themselves in depriving their fellow-beings of their honest belongings, disguised, for the purpose, under the dignified purple of the Goddess of Themis; and the fact shall not escape us that instead of making use of the invulnerable sons of the land for honorable purposes and the aggrandisement of the country, Cabrera employs the unworthy service of degenerated foreigners in order to obtain his ends, and it is a salient truth, that by means of servile promises made to the Department of State at Washington in former administrations (for, it shall be known that Mr. Wilson—the altruist master—has never and will never utilize the corrupted element of Cabrera) he succeeded in shaking his bloody hand with that of Mr. Knox, thus silencing, in effusive pact, the disorder of things and state of terror, in which for a period of 17 years of agony he has kept the Republic of Guatemala a fruitless accomplishment which justifies the flatterers-by-trade in calling him the 'sublimar exalted ruler,' when not classifying him as the direct descendant of Charles V.

"It is likewise an incontrovertible fact, the truthfulness of which jumps to the eye, that the execrable candidate in question leaves behind neither industries, monuments, public roads, navy or wealth, but in turn he leaves us a Guatemala wrapped in a regrettable sudarium.

"In order that the reader may not think we are laboring under a passionate inspiration in expressing these opinions, we refer him to any of the publications inserted below, which have been seeing the public light in various languages and throughout the civilized world, and from the columns of which they have commented, with impartiality, the countless errors and aberrations of his administration, and very particularly the crimes thus far perpetrated on the persons of subjects who dared express opinions contrary to those of the 'Benemerito' of Guatemala, or else who refused to accede to his will when the same would have compromised their dignity and probity.

"The consummated facts herein referred to have been, as already stated, thoroughly ventilated, reproduced, and rudely censored by the press in gen-

eral, and it is on this account the thousand-and-one publications we have now in our possession, and which we will make use of when the day of judgment for Cabrera before the civilized nations shall appear in the eye of universal history.

"These publications have been mostly written in French and Spanish and are hardly known in English, for which reason we have concluded to issue this pamphlet in this language, so that the generous and noble people of the United States of America, where the cradle of democracy swings full blast, where liberty rings over hill and dale to the remotest corner of the land, where justice and human life is so much respected and venerated; here, where the germ of despotism finds only sterile ground for development, and where the culprit is abhorred and duly punished—may know who is the tyrant of Guatemala, who still pretends to reelect himself for six years longer to the presidency of that country.

"This crime horrified everybody, but could not be averted, notwithstanding all the efforts made to save him by the strong and powerful German colony in Coban. The notorious Juan Barrios M., together with Julio Godoy, Samuel de Leon, and Juan Rafael Zu Niga, were Cabrera's appointed executioners. In order to make himself more favorably known to the chief executioner, the latter of the trio of murderers kicked the dead man in the face, calling him all the bad names that only a man of his breed could know.

"Several persons witnessed this, among them Mr. Jose Maria Meza, of Nicaragua, who is living in his country now, after having been a prisoner for a long time in Guatemala. His crime was that he witnessed this murder, and that was enough for Cabrera to put him in prison. A friend of his, Mr. William Ibs, the foreign representative of the St. Charles Hotel, in New Orleans, who was at the time of the imprisonment and the murder of Mr. Sta. Cruz, employed in one of the large German firms at Coban, also testifies to the truth of what we have said about this foul murder of Sta. Cruz. The notorious Juan Barrios M. was made minister of foreign affairs as a reward for his part in this crime.

"Ex-Congressman Jose Maria Urbizo, shot near El Chato, where he was sent by Cabrera with a military escort under Capt. Dionisio Gutierrez, who made Urbizo walk 12 miles barefooted over a rocky road, helping him along with the bayonet and butt, until they arrived at the spot selected for the execution, where the half-dead, blood-covered victim was finally shot to death.

"Then the soldiers tied the hands and feet of the corpse over a post and threw it into a near-by ravine to serve as a meal for the jackals and turkey buzzards. Miguel Cuadra, of Nicaragua, just happened to pass near the spot at the time of the execution, and, attracted by the rifle shots, he witnessed the whole grewsome performance.

"The mayor of El Chato, who heard of this murder, and who thought it the outcome of a drunken brawl, reported the matter to Cabrera; but the mandatory told the astonished mayor:

"If you don't dismiss the matter quickly from your mind, you will go over the same road that Urbizo did."

"The crime of this unfortunate young man had consisted of some complimentary verses about Jose Leon Castillo.

"Gen. Jose Maria Reyna Barrios, murdered by Oscar Zollinger at the suggestion of Cabrera, as the worldly press has denounced.

"Dr. Manuel Enrique Araujo, President of El Salvador, killed by means of machetes in the Park Bolivar, in the city of San Salvador. The murderers confessed and were shot by the Government of Salvador.

"Gen. Manuel Lisandro Barillas, ex-President of Guatemala, and selected for this purpose by two well-known military men, Gen. Jose Maria Lima and Col. Onofre Bone. After having confessed all they were told to do by Cabrera, the Mexican Government had these two fellows shot.

"One hundred boy students of the Military School of Guatemala, who were slaughtered on the Plaza de Armas of Guatemala City for the only reason that during a diplomatic reception one of the boys fired a shot at Cabrera, whom he unfortunately did not kill.

"Under the pretext of this one shot, that he called a conspiracy, Cabrera had them and a lot of his political prisoners shot, whom he suspected to be in the plot with Manuel Mandrian, who placed the bomb in the 7 Avenida Sur, and which exploded right under Cabrera's coach, but unfortunately did not kill him.

"The iron box that was a part of this bomb was made for Mandrinan in the shop of Tinetti Bros., two Italians, who did not even ask him what he wanted his box for. Nevertheless, they were imprisoned, and it took the Italian Government 14 months to get them out of Cabrera's jail. The names of the people shot in prison during this carnage of Cabrera's are:

"Engineer Eduardo Rubio Pilona, candidate for the Presidency of Guatemala; Dr. and Gral. Mateo; F. Morales; Dr. Francisco Ruiz; Mr. Juan Viteri; Col. Manuel P. Cordova; and Fulgencio Cortez; and the Italian Signor Vinelli.

"In the city of Antigua there were executed: Enrique Acena, Col. Sarvelio Solorzano, Pedro Cofino, Rafael Vides, Ramon Palencia, and others whose names we ignore.

"During those days four of the sons of the best families of the country were suspected as accomplices in the bomb plot, and under persecution of a lot of policemen they fled into a house in the Callejon de Judios. Here they were surrounded immediately by 500 soldiers and, after having received their toll, they shot each other to death in order not to fall into the hands of Cabrera, where unspeakable tortures awaited them, as they knew only too well.

"A few days before this murder Mr. Manuel Lopez Cojullun, president of the Workmen's Club, was flogged to death by the captain of police, Ramon Bonilla, who some years before had murdered Gen. Martin Barrundia. Cabrera, by a special arrangement, listened to the killing of Mr. Cojullun over the telephone without losing a single detail of this terrible murder; for Cabrera had given his murderer most explicit orders to open Cojullun's mouth and to administer poison to him.

"When Cojullun objected to this, Cabrera's beast took his heavy police club and started to beat the man literally to death. First he broke all the man's teeth, then his arms, legs, and ribs, until the unfortunate man was nothing but a groaning mass of bloody flesh and broken bones, and—the President of Guatemala, Manuel Cabrera, the benemerito of the country—listened to this and enjoyed, as the pervert that he is.

"Gen. Plutarco Bowen, kidnaped in Tapachula, Mexico, by Hippolito Lamber, a Frenchman, and some other of Cabrera's bailiffs, and brought on Guatemalan soil, where he was shot in the city of San Marcos after the second amnesty had been declared. When about to be executed Bowen made a few brief remarks, ending like this:

"I am going to my grave now because I hate a tyrant; and if on the other side of the grave there are also tyrants I shall fight them again as I have done here on earth."

"Gen. Calizto Mendizabal was murdered by Cabrera himself. After he had been offered a glass of Cabrera's famous 'cocktail' he died from the effects of the poison contained in his drink.

"Mr. Rafael Prado Romano and his brother, Ldo Transito Rojas, shot in Jutiapa, together with his 15-year-old boy. This murder of a father and of his innocent boy was an awful sad thing. The father is said to have pleaded earnestly and long with Cabrera's murderers to content themselves with taking his life, but to spare that of an innocent child, who could not possibly have known anything about politics. He pleaded in vain, and he might as well have addressed stone figures as to expect any mercy from any of Cabrera's hirelings.

"When at last this horrible fact dawned on the unfortunate father, he embraced his boy, imploring him to die a brave lad, and, calling down the ire of God upon his murderers, the father and son fell dead under the hail of bullets fired at them by Cabrera's murderers. Cabrera was told this sad story, and he is said to have gloated over it for weeks in brutish satisfaction. And this man is to-day a friend of Mr. Knox and the famous Mr. Sulzer, of New York.

"Ldo Mariano Castillo, Luis Antonio Giron, Gen. Eugenio Monterosso, Col. Transito Retana, murdered on the frontier of Salvador; Francisco Carrascosa, shot at El Plantanar by Gen. Larrave, who showed his sorrow for having been ordered to shoot this brave young lad, who defied the tyrant until his death, by cursing the tyranny for this wherever he went.

"Antonio Lopez, who was poisoned by orders of Cabrera in Tapachula, Mexico.

"Bruno Maldonado, who was taken from the prison and given instructions by Cabrera to murder ex-President Barillas; but Maldonado warned Barillas of this plot and gave him a chance to flee. He then returned to Cabrera with

the story that Barillas had escaped him. Cabrera had him immediately flogged to death, as he has done with many others that did not follow his instructions to the letter.

"Dr. Hermelino Quezada, a Mexican, shot in Coatepeque; Heraclio R. Trejo, shot in San Marcos; Victor Fenjier, shot in El Rodeo; Adrian Victoria, shot in Techulután; Alberto Lallande, Gaudencia Morales, murdered in El Rancho de San Augustin; Doroteo Reyes, murdered in San Pablo; Guadeloupe Chacon, murdered in San Marcos; Martin Munoz, shot in Ayutla; Guillermo Garcia, shot in El Cucho; Luis Felipe Arias, a famous musician, murdered by an Italian agent of Cabrera.

"In Mazatenango, Cabrera had the commanding officer, and with him seven men, shot for rebellion and sedition; Neftali Palomeque, a Mexican, shot by Cabrera's order because he protected Guatemalan refugees on Mexican soil; Manuel Diaz, for having distributed some pamphlets during the presidential elections favoring J. Leon Castillo.

"Bernardo Lemus, from Salvador; Presbitero Beltran, shot in the church of San Francisco by a certain Mendoza inspector of police, who later on confessed this crime during an operation and while under the influence of choleraform; Jaime Lopez, from Salvador, shot in San Marcos; Ernesto Huerta, shot in Sta Rosa by Col. Silverio Herrarte; five Mexicans and one Colombian with the name of Vallarino, shot in the port of San Jose by the captain of the port, Salvador Cabrera, who had the bodies cast into the sea, with the exception of Vallarino, whom they did not see on account of the dark night, and who was still alive and was able to hide under the wharf.

"Vallarino made this crime public and died in the penitentiary; Primencio Aguirre, shot in El Chaguite de Agua Blanca by Capt. Cleofas Paredew; Luis Espino, shot in the Sta Catarina by Capt. Benjamin Martinez; Lieut. Carlos Garcia, shot in Jutiapa; Adolfo Garcia, shot in the Sta Catarina by Capt. Mercedes Aldana; Col. Tiburcio Resinos, killed by orders of the captain of Jutiapa, through a criminal with the name of Saturnio Orellana, in Salvador; Saturnino was pardoned for nine murders that he had committed and also made a sergeant on the police force of Jutiapa.

"Celso Martinez and his brother Francisco, shot near Lake Ayarza after having received about 1,500 lashes each for several weeks; Aquilino Sandoval, shot by Pauline Quintana through orders of Gen. Resonos, of Jutiapa; Jesus Argueta, shot by orders of Gen. David Barrientos in Jalapa; Francisco Guzman Montenegro, shot by Col. Ramon Ludero, commander in Monjas; Fernando Chinchilla, shot by Ezequiel Morales in Calderas de Agua Blanca through orders of the commander of Jutiapa.

"Alberto Cantoral, who was given up by the Government of Salvador and then murdered in Jutiapa by Capt. Marcial Leiva; Felipe Telly, shot at the frontier of Salvador when he was handed over to Cabrera's soldiers; 18 men shot at Momotenango; Dr. Joaquin Yela, a very important man, killed in the penitentiary; and, lately, Ldo D. Manuel Paz starved to death.

" POISONED.

"Gen. Calizto Mendizabal, Felipe Cruz, poisoned on his plantation by two men sent from the city of Guatemala; Gen. Luis Garcial Leon, Dr. Jose Montoya, Dr. Antonio Lopez, Col. Roque Morales, Wenceslao Chacon, Juan Espino, and Antonio Espino, poisoned on the same day by Gen. Doroteo Rosinos in the jail at Jutiapa, and then reported by him as having died suddenly; Francisco Cabrera, the President's own brother; Landetino Gonzales, and others.

" PERSECUTED AND MURDERED ABROAD.

"Gen. Pedro Aguilar, Col. Mateo Paz Pinto, Capt. Jacinto J. Castro, Eugenio Gonzalez, Flavio Sandoval, Mrs. Elena de Cuellar, Mrs. Soledad Valladares, and Col. Manuel F. Rivera. All these are Cabrera's victims in Salvador.

"Capt. Julian Belletton, Gen. Jose Najera, Col. Jose Maria Navas, Lieut. Julio Molta, Felix Lainfiesta, Capt. Jesus Villeda. All these were Cabrera's victims in Honduras.

"Lds. Emilio de Leon, Laureano Urrutia, J. Maria Urrutia y Guzman, victims of Cabrera in Mexico; Ldo Miguel Vaeladares de la Vega, in Nicaragua.

"Lds. J. F. Gonzales, Juan F. Ponciano, Mardoqueo Jerez, Socorro Lopez, Capt. J. Cifuentes. All these were Cabrera's victims in Nicaragua.

"Jose B. Samoyoa, in New York.

"Dr. Jorge Veles, in the Argentine Republic. Dr. Patrocínio B. Mendia, in Conditan, Mexico.

"Manuel Cabrera, President of Guatemala, has always a good supply of murderers on hand that he uses in those special occasions, when it becomes necessary in his opinion to do away with somebody dangerous to himself, and in Guatemala these gentry are popularly known as the private executioners of the 'Benemerito de la Patria.'"

Cabrera, becoming alarmed at the activities of the Mexican-Rosales-Peralta plots in connection with the Guatemalan group, immediately began extending active cooperation to the Felixista Mexican revolutionary party. The Felixista party at once established a junta in Guatemala City, and from Guatemalan territory launched their operations against the Mexican State of Chiapas. During the latter part of 1916, and from January on in 1917, President Cabrera, of Guatemala, through the Felixistas, who had secured control meanwhile of nearly all of Chiapas, in this way protected himself from a prospective invasion of Guatemala by Carranza's troops from Chiapas.

From that time to this the Felixistas and various other revolutionary factions and bandits in Chiapas have kept Carranza so busy in that State that he has had no time to think of Guatemala.

The full details of President Cabrera's participation in Mexican revolutionary affairs of the Felixistas will be stated and proven by documents in a subsequent narration.

During 1916 and until the latter part of 1917 Mexico had no consular or diplomatic representative in Guatemala. It is claimed that Mexico, in 1917, sent a minister to Guatemala, who died shortly after his arrival. It is also claimed by Mexicans friendly to Carranza that from the latter part of 1917 until quite recently every diplomatic representative that Carranza sent to Guatemala either has died or had continued sickness.

Among Carranza's diplomatic corps they refer to a post in Guatemala at the present time as though Carranza had "become soured on them," for when one of them is sent to Guatemala it is regarded openly as "a death sentence."

The activities of Rosales, Peralta, and their Central American associates at their headquarters junta in New Orleans continued actively along the lines as set forth in the above narration. They were marking time, waiting the outcome of the American presidential election.

Peralta's enemies within his own party, who secretly hoped for and worked for his downfall, due to his arbitrary and lordly manner of conducting affairs, and envious of his influence with Rosales, brought charges before Rosales "sub-rosa" that Peralta had appropriated at least \$15,000 of the \$50,000 he raised from Carranza on his trip to Mexico City.

Rosales, however, was afraid to break with Peralta, regardless whether or not the reports were true. Peralta explained, it is said, that the \$15,000 in question was distributed by him in Mexico among minor parties, who were paid to support the Rosales plans.

Whatever did remain of the original \$50,000 advanced by Carranza, it is a fact that Peralta and Rosales proceeded to expend the balance with a prodigality that occasioned comment. Peralta "blossomed forth" with numerous diamonds, stones of size and luster.

Carranza, through Villa Vicentio, consul at New Orleans, pressed Rosales and Peralta constantly to begin immediately on their proposed armed invasions. To assuage Carranza they replied that they were waiting the outcome of the American election, and they added that they "needed time" to bring pressure to bear on Senators and Members of the Congress to forestall the carrying out of the rumored plan of landing American marines in Honduras.

During the early part of November, 1916, Peralta and Rosales decided it was advisable for the former to proceed to New York City, Washington, and other cities to endeavor to secure influences, which, in turn, would be utilized with Congressmen, Senators, and other Government officials, so that when the Rosales expedition invaded Honduras the United States either would delay in sending the marines or would not send them at all.

Peralta on this trip was to complete also final arrangements with Dr. Julian Irias, who was making his headquarters at Washington and New York City, for the active participation of Dr. Irias and his supporters in the expedition out of Nicaragua and Costa Rica against the Honduran troops. At the same time Rosales and his three expeditions from New Orleans, Payo Obispo, and Belize would move against Honduras from the sea.

On November 6, Peralta, accompanied by his wife and by Mrs. Rosales, who, Rosales later told me, while he was under the influence of liquor:

"You know Pedro is a very shrewd hombre, and his mission is a most vitally serious one. It was wise to have Mrs. Rosales along to keep an eye on him."

Before leaving New Orleans, Rosales gave Peralta several letters to be presented to parties who Rosales and Peralta said were friends of theirs. Among these letters was the following:

NEW ORLEANS, LA., November 5, 1916.

HON. SAM S. WRIGHT,

Cedar Rapids, Iowa.

MY DEAR SIR AND FRIEND: My special representative in the United States, Mr. Pedro Grave de Peralta, is going to Cedar Rapids; he is well known to you, and he has always spoken about you in the highest terms as a progressive man of whom our country could expect much in the case that we could get you interested in that rich part of our country. It would be agreeable to me if you should enter into an arrangement with Mr. Grave de Peralta, and you may be assured that any agreement signed by him will have my entire sanction, and he has my power of attorney to that effect.

Believe me, your friend and servant.

M. B. ROSALES.

Knowing in advance of Peralta's proposed trip and purposes of same, which were duly reported to the Department of Justice, I was requested to make arrangements to meet Peralta in New York City on his arrival there, so that the department would be informed of his further activities as they were unfolded.

I left Rosales "in safe hands," with one of my assistants, in whom the general had complete confidence. Before leaving him he informed me fully regarding matters Peralta was scheduled to attend to on this trip and handed me the following letter to give to Peralta:

"MY DEAR FRIEND: I have received your letter of the 8th from Birmingham. I am glad to see that you arrived there all right. I have noted what you have to say about Mr. Baird, and I hope that you will be able to get something from him.

"He has not written to me up to now, and I want you to keep on after him. Mr. Jones does not leave until to-night, but he is going to Washington first. It would be well for you to talk the most important matter with Dardano and Labo, but in a very reserved manner.

"Mr. Jones said that the day that you took the train a negro spy was put there as a detective over you, and you have to be on your lookout for that. The triumph of the Republican Party has become a fact, as I have told you, and it would be well for you to come to an understanding with these people.

"I wish that you would go and see Mr. Irias and give him, in my name, my best regards; tell him that I am very sorry for that which has happened in Nicaragua, and that there seems to be no other remedy but the machete.

"It will be well for you to speak in my name, in order to find out whether or not something could be done from that side and that he then would give his instructions to his men to come to an understanding with Jose Antonio Sanchez, who lives in Juaniquilapa, near Someto; tell him that we are fighting and our cause is his cause.

"Do not be worried about your family. They are well and I see them often. Take good care of yourself. Do not worry so much about Adelita. I am glad to hear that Concha's cold is getting better and I am writing her."

The "negro spy" referred to in the above letter was an imaginary one and was mentioned to Peralta to show him that I was working, as he thought, in his behalf.

On November 12, 1916, from New Orleans, Rosales wrote Peralta as follows:

"MY DEAR FRIEND: Yesterday I received your telegram about the affair of Dr. Dardano, and I am very glad to hear about him. I hope all the rest will go as well as this matter.

"Mr. Andrew (code name for Jones) left here Saturday the 10th instant for Washington and he told me that he would be there about the 14th. I inclose a letter for Dr. Irias. Give it to him personally and talk to him about this matter and then, if he is willing, let him give his instructions to his friends to that effect.

"Be careful to tell him not to mention anything to King, as the latter has denounced us in Honduras, as I have heard, in order to stay well. Well then, Wilson won out. Maybe that is well, as the old saying goes 'Nothing succeeds but success.'"

"We have to play good politics and have to be careful."

I left New Orleans on November 10, 1916, accompanied by Guillermo Rosas, formerly private secretary of Gen. Felix Diaz, the Mexican revolutionary leader, and who at that time was secretary of the Felixista revolutionary group at New Orleans. For a long time prior to this, so that the Department of Justice could be thoroughly informed, I had been an active participant in the affairs of the Felixistas. As many important developments were being brought to a head through these Mexican revolutionists, I "staid on the nest" with this man, not only to find out about his own party's revolutionary affairs, but to gain additional information which he would receive from party leaders in New York.

Rosas, convinced that I wielded untold influence among newspapers and national legislators, he looked to me to help him no little on my trip to New York City and Washington. Shortly before we parted, he placed his hand on my shoulder and exclaimed:

"Now, comrade, show us that you are a fighting man. Remember, you and Peralta are to promise any and everything to those friends whose influence we have to have, no matter what they want.

"Promise them everything under the ground and in the sky. Promise to deliver the devil, if you have to do so. But go ahead. Tell Peralta that I am here like Christ, waiting for my sentence."

On arriving in Washington, I left Rosas, who had a mania for flirtations, sitting in "Peacock Alley" of the Hotel Willard while I arranged a series of conferences with several of the Honduran and Nicaraguan revolutionary leaders then in Washington.

I left Washington a day later and met Peralta in New York City at the Hotel Astor, where he, with his customary habit of exaggeration, impressed on me the alleged fact that he had secured positive assurances that when the revolutionary movement was started no American marines would be landed in Honduras. I felt that this was false and later nailed the lie.

During the remainder of November and through December I was with Peralta constantly in New York and at Washington. In this way the Department of Justice gained timely information as to additional plans as developed and matured by the revolutionists.

In Washington Peralta presented Rosales' letter to Dr. Julian Irias. Rosales refers to in his letter of November 12, 1916, to Peralta. Irias was most enthusiastic in regard to all Rosales' plans and wrote the following from Washington on November 29, 1916, to the latter:

MY DISTINGUISHED FRIEND: If everything is ready, I am. Before the movement is started you must be able to put war equipment at a certain point on the frontier. This point has to be defined clearly, so that our friends may know where to go to arm themselves and that they furthermore may study which places they should attack or menace.

"I have been assured (by Peralta) that you can place on said frontier four Colt machine guns with 25,000 bullets each, and then 1,500 rifles with 150 bullets for each one. If this is so, it would be a fine basis.

"I beg to call your attention to the fact that the steamer which carries this equipment should bring along two good gasoline launches, so that the goods can be delivered speedily at a minor port, because, as you will understand, it would be rather a difficult and risky undertaking otherwise.

"It will be necessary that you should let me know exactly the date, the place, and the person who will deliver the goods on the frontier to the chiefs that I send.

"You will understand readily that it would not do to assemble too many people near the frontier before the movement really starts, because that would show the thing too openly and would be dangerous. But they will be under orders, so that they can assemble as quickly as possible.

"It would also be very convenient to know with which one of your intelligent and confidential chiefs on the frontier our people shall understand themselves, at the same time it would be well to clear up the point whether one of your chiefs shall be governor of the zone or one of our own men. It seems to me better that he should be a man from Honduras, as this would give more

standing to the movement, under the condition, of course, that he should not have any run in with our men.

"The movements on the coast and from the frontier should be simultaneous in order to have the greatest effect.

"In order to issue commands, I will have to be in Central America; but I can not do that before the middle of January. It would be a good thing to call on Costa Rica secretly in order to give instructions to some chiefs, and since you know the distances, and in order not to commit any foolishness, the people should leave quietly, and that way they could not be near the frontier until the middle of February, and that would be proceeding rapidly and disposing of elements necessary for the mobilization.

"I calculate that we need about \$25,000 gold for this movement, counting on taking the entire 1,500 rifles, and since the American gold is now standard in Nicaragua we will have to give the soldiers at least from \$12 to \$15 for this trip to the frontier, and there are some chiefs whom we will have to give \$250 and more.

"A letter from you, in which you bind yourself to lend me all kinds of assistance—that is, economical, the frontier, and the elements to upset the Government of my country in case that you should win—would be enough for me in exchange for my help.

"If you accept the plan, and in order not to lose any time, it would be well that you should right now put some funds at my disposal, so that I could write from here to some chiefs in Costa Rica, whom I am going to meet, and whom I could give sufficient funds to sail for said Republic.

"J. IRIAS."

Irias, due to his former negotiations with Rosales and Peralta, was ready to participate in their revolutionary movement against Central American countries during August or September of that year. Peralta claimed that on or about the time he was getting ready to leave Mexico that Irias had secured considerable cash from Carranza.

It will be noticed in Irias's correspondence with Rosales that he set forth that it would be impossible for him to have his part of the expeditions ready until the middle of February, 1917. To this Peralta, for Rosales, agreed. This in turn was concurred with by Carranza and his officials.

At a later date and in Washington Irias showed Peralta and myself the following letter from Mexico:

MR. JULIAN IRIAS, Washington.

MEXICO CITY, November 26, 1916.

MY DEAR FRIEND: I received your letter yesterday, which had been delayed somewhat in Vera Cruz on account of a strike of the workmen on the Mexican Railroad. I knew that you were in New York by the New York Herald, which carries one interview with you and another one with Mr. Stikel, about the presidential elections in Nicaragua.

I have addressed several letters to you in Costa Rica, some directly and some through Mr. Dieguez, not knowing whether you were in that Republic or not. I wrote these letters for the very special purpose of telling you how convenient it would be for you to come to this capital so that you might put yourself in contact with Mr. Venustiano Carranza, in charge of the executive power of the Republic, who sympathizes very much with the National Liberty Party of Central America and especially with that of Nicaragua, that victim of the Yankees which is making all efforts to conserve her independence.

Understand me well, that Mexican revolution which drove out the Dictator Diaz and, later on, the horrible tyranny of Huerta, is not only Mexican but a revolution of continental consequences, considering the influence it will have among all the peoples who are now under the rules of tyrants that are more or less assisted by the Yankees.

In order to solidify the destinies of our race on the continent and to establish the legitimate influence of Mexico among the sister nations, it would be well to create legations in the main Latin American Republics, and especially those of Central America, whose destinies are so closely interwoven in the past as well as in the future with those of Mexico.

Since you are the famous leader not only of the National Liberal Party of Nicaragua but also of the National Party of Central America, as the cause of the National Liberal Party of Nicaragua is identified with the cause of the independence of Central America, therefore it is indispensable that you should come to this Republic for the already indicated purpose.

If Samuel Sediles was very well received here and could do something for the Liberal Party, merely being an ordinary intelligent member of same, it is very reasonable to assume that the leader should be well received who has made his name famous even outside of Central America, through the high esteem that he enjoys in his country, for the kind feelings that he inspires in all Central America, by his energy and his dignified and proud attitude before the Yankee power, and the accusations that were made against him to undermine his political and personal honor.

I do not doubt that Mr. Carranza will understand you, as he himself has shown himself so energetic in the defense of Mexican honor in the North American question.

I write often for *El Democrata*, one of the best papers of this capital, and sometimes in *El Pueblo*. In these, as well as in *El Universal*, I have reproduced important news from Nicaragua before and after the elections. The *Universal* brought your interview with the *New York Herald*, the *Pueblo* that of Stikell, and in *El Democrata* there appeared, besides some other news, one of my stories about the suit brought by El Salvador in the court of Cartago against the canal treaty.

I am waiting for the papers that you told me I would receive in order to start a series of stories about Nicaragua and your own personality. It would be well for you, before you come here, to give me your opinion about the Mexican revolution, about Mr. Carranza, and his minister of foreign relations, Gen. Candido Aguilar, who have so brilliantly maintained the rights of Mexico in the North American question.

It would be very well also, if you have the time to get them, to have some evidence of the sympathies with which the Governments of Salvador, Honduras, and Costa Rica look upon your political work for the cause of the independence and honor of the peoples of Central America. Such testimonials from the Presidents of these Republics would be invaluable for you here.

I shall publish your opinion of Mr. Carranza, Gen. Aguilar, and the Mexican revolution in the papers of this capital before you get here.

Sediles went to Costa Rica about a month ago, and it is absolutely necessary that you should be here before his return. I hope that you will do so in your own interest. I can not tell you any more now.

My address is: Segunda Calle de Balleras, 16.

Clementina wrote me awhile ago, telling me that you had called on her and that you had told her all about your trip in Nicaragua just before the election. She was highly pleased by the visit of such an old and true friend.

With best regards from Delfina and my boys, I remain, waiting for you,

Your friend,

R. CONTRERAS.

Irias had for many years prior to our meeting been a disturbing factor in Nicaraguan politics. In an interview between him and me several months before this he had confided that he had been elected leader of the National Liberty Party of Nicaragua. He added that he had been named as the presidential candidate for this faction at the polls for the October elections of 1916.

However, according to Irias, he realized he never would be permitted to gain the office, explaining that the voices of 75 per cent of the Nicaraguan voters would be in favor of him, but alleging that the United States had "cooked the results." When I asked him to enlighten me as to the "cooking," he said:

"Secretary of State Bryan has entered into an arrangement with Chormoro, our minister to Washington, whereby if the latter manages to put through the treaty with America on canal rights across Nicaragua, the United States will see that Chormoro is installed in office as President of Nicaragua."

He added Mr. Bryan had assured Chormoro that United States marines would control the election in Chormoro's favor. He then said that his revolutionary movement in connection with Rosales should be pushed along and put in full swing by election day, and in that event the small number of American marines in Nicaragua would be "wiped out."

Personally, I can not vouch for the authenticity of Irias's statement and I only set down what he claimed to be a fact. His statement, however, regarding the "wiping out" of the marines, when I reported it to the Department of Justice, resulted in the United States sending a large number of marines to Nicaragua.

Irias at this time showed me a signed proclamation issued by the National Liberal Party of Nicaragua, a translation of which follows:

"The great convention of the National Liberal Party of Nicaragua, in conformity with the Part C of article 10 of the statutes of the party, decrees:

"First and only. The citizen Dr. Julian Irias is the popularly elected candidate of the National Liberal Party of Nicaragua for the President of the Republic during the elections which will take place on the first and second days of October of this present year.

"To be communicated to the executive council for publication and recommendation.

"Given in the Hall of Meetings, Leon, 22d of July, 1916.

"Leonardo Arguello, D. P., Gonzalo Ocon, L. Ramirez M., A. Yablada, J. Sanson, Arturo Nunez, Gustavo F. Moguera, J. Molino Larios, Federico Sacasal, Tomas Pereira, Palo Ruiz Morales, Bernarbe Portocarrero, R. Sevilla, A. Medrano, P. A. Blandon, Ignacio Chavez, H. Espinoza, H. Portocarrero, A. Zuniga M., M. B. Sebrate, Abraham Mary, Jose W. Mayorga, B. Sotomay, Gustavo Alamanza, Erasmo Calderon, J. Y. Lanza, Franco Paniagua Pradounza, M. Perez Alonzo, F. Sornanba, H. A. Castellon, first secretary."

In several other interviews between Irias, Peralta, and myself in Washington, and in other interviews between Irias and myself at the McAlpin Hotel, New York City, he told me he would sail early in January, 1917, for Costa Rica, where he would begin preparations for his part in the revolutionary movements. However, Irias, after learning of the amounts of money secured by Rosales and Peralta from Carranza, instead of sailing from New York to Costa Rica, sailed from New York to Vera Cruz on or about January 10, 1917.

Irias proceeded to Mexico City, where he completed arrangements with Carranza, Gen. A. Obregon, and others to be reimbursed personally for his participation in Carranza's Central American revolutionary plans. This trip of Irias to Mexico was a great surprise to Rosales and it likewise resulted in delaying the contemplated revolutionary expedition of Rosales against Honduras.

It was evident that Irias felt that he should be put in a position to "handle" some of Carranza's money after he became aware that Peralta and Rosales had so much of the first chief's lucre to spend lavishly.

WHEN IN MEXICO CITY, GEN. A. OBREGON, THEN MEXICAN MINISTER OF WAR AND MARINE, AUTOGRAPHED A PHOTOGRAPH OF HIMSELF TO IRIAS.

Irias remained in Mexico until early in March and on March 13 sailed from Vera Cruz for New Orleans. He arrived there on March 17 and went to the Monteleon Hotel.

With all hotels under our surveillance by special informants, we learned of Irias's arrival immediately. He was astonished when I called at his apartment and wanted to know how I learned of his arrival. He had in his room three handbags and a steamer trunk, from which at a later date we procured the contents and handed them to the Department of Justice.

After leaving Irias I notified the superintendent of the New Orleans division of the Department of Justice as to the revolutionist's presence in New Orleans. From then on I was daily in close touch with Irias, and the Government was enabled to be informed fully regarding his movements.

On the night of March 24 the superintendent of the New Orleans division of the department informed me he had received instructions from Washington to secure, if possible, photographed copies of all papers and documents in Irias's possession.

Arrangements were made whereby I was to take Dr. Irias, his secretary, and one of his associates out for lunch and for an automobile ride—as long a ride as possible—keeping them away from their apartment for at least four hours, which would enable agents of the department to open his trunks, photograph documents, and replace them without fear of interruption.

In my report to the Department of Justice, dated March 27, 1917, I stated:

"Respectfully recommend that Dr. Irias should be arrested by your department, provided he can be successfully put and kept in jail or deported until the present critical situation in the United States is passed.

"It would be, however, more satisfactory, I believe, to have the case handled by the immigration authorities, for, inasmuch as Dr. Irias has conspired in the United States, not only against Nicaragua, but likewise against Honduras and

Guatemala, therefore, under the law, as I understand it, he should be deported for this.

"My recommendation in regard to his deportation or arrest is made for the following reasons:

"In my several extended conversations with Irias, he practically has told me in plain English, as fully covered in many of my previous reports, that he has been promised liberal support from the Carranza Government in regard to his political aspirations in Nicaragua and likewise to date has received cash advances from Carranza.

"This was brought out by him in answer to several pointed questions from me in regard to making Irias believe that in the end his proposed political affairs would never be successful; furthermore that Carranza under no circumstances would have anything to do with him as far as financially backing him.

"He then stated his arrangements with the Carranza Government, not only from the standpoint of their moral support, but also financial support was in every way far beyond his expectations and greater than he ever had anticipated receiving.

"I then laughingly told him that I had heard many rumors of him likewise having sought and then received financial support from the German Government through the minister from Germany in Mexico City. I then also told him what a damned shame and sin it was for a great country like the United States to be played with by England and that all of our Government officers, from the President down, including Senators and Congressmen, were a 'bunch of nuts,' and in other words damned forever to him my own country and all of its present policies and went the limit as far as endeavoring to convince him of the fact that I was willing to be a traitor to the United States.

"I also fully agreed with him that the United States had helped to steal the presidency of Nicaragua from him. I also assured him of the fact that I was strictly for Germany. I then told him that it had been reported from Mexico that he had been a daily visitor to Von Eckhardt, the German minister in Mexico City, likewise had frequently been seen dining and riding with the German ambassador.

"In answer to this remark on my part, Irias, feeling sure that I was one of his strong friends and ardent supporters and could be trusted fully, stated that the German minister in Mexico City was his personal friend and supporter. I then asked him if this meant that he was not only being supported by Carranza, but also with German money behind his proposed political future. His answer was that the 'future is always broad.' He added that his 'past had been full of many disappointments,' but that his efforts for the last six months had resulted in success for him far beyond his expectations.

"Dr. Irias, as you know, is probably as ardent a hater of America and all Americans as anyone who has ever come to this country. There is no doubt from information developed so far by me and which your department has secured from other sources but that he is under financial obligations to Carranza and Germany, through the German minister to Mexico."

At 10:30 o'clock p. m., March 27, 1917, I called at Irias's room at the Monteleon Hotel. At this time I found him with one of his assistants packing a small trunk and a box. I told him it looked as though he were getting ready to move. He said not, and added that he was preparing some "things" to send his family at Costa Rica. It appeared that he intended to slip out of New Orleans on a steamer the next morning with some of his papers and documents which the department was very anxious to procure.

He then said that the box and trunk were to be shipped the next morning via a United Fruit Co. steamer. I volunteered to see that the trunk and box would be taken to the ship early in the morning and suggested it might be advisable for him, on account of his political connections, to stay away from the dock. I said I would also save him the trouble and expense of moving the packages to the steamer.

He greatly appreciated my "suggestion." I immediately advised the New Orleans office of the department. On the morning of March 28 I arranged with a porter of another hotel to call at the Monteleon Hotel in a taxicab for Dr. Irias's baggage. The porter had instructions to "stall" around after he got the baggage to "shake off" possible shadowers.

The porter was then to take the baggage to his hotel, from which it was to be sent to the Department of Justice office. Much to my surprise, at 9:40 a. m. this porter telephoned me that he had not only had the baggage outside his hotel, but also Dr. Irias and his secretary were with the baggage in the taxicab.

He said Irias had insisted on accompanying the baggage to the United Fruit Co. dock. This more than ever convinced me that the contents of the baggage must be important.

I instructed the porter to take Irias and the baggage to the steamship dock, but spend as long a time as possible in arriving there. I got in touch with the superintendent of the New Orleans division of the department and suggested that he arrange with one of the officials of the steamship company to see that the baggage was put on board the steamer and that just before she sailed it be covered with a tarpaulin and carried off the vessel.

Mr. Beckham, of the New Orleans office of the department, proceeded to the dock, and, working in cooperation with the port captain, handled this matter satisfactorily. The baggage was removed from the steamer just before she sailed and was then carried to the New Orleans office of the department, where it was "frisked" and found to contain absolutely nothing of importance. It was filled with clothing, etc., which Irias really wished to send his family.

The Department of Justice forwarded the trunk and box on the following steamer for Costa Rica.

From March 25 to March 29, 1917, I called daily in the mornings on Irias, endeavoring to persuade him to accompany me on a motor journey and take luncheon with me. On two of these occasions he said he would be glad to go, and put on his hat, but instructed his secretary to stay in the room until he returned.

Watching the automobile outside the hotel were several agents of the Department of Justice, waiting to see me drive away with Irias and his secretary, in which event I was scheduled to keep Irias and his assistant away from the hotel for not less than four hours. Irias's instructions to his secretary to "remain" defeated this plan until the morning of March 29.

On that morning, after arguing for an hour and a half, I succeeded in taking Irias and his secretary for a ride and for lunch, with the proviso that I would have them back by 2 o'clock. It was noon before we were safely out of the hotel and on our way.

I had told the chauffeur of my car not only to drive slowly, but on the way out to a resort 10 miles from the city to arrive there by a circuitous route, and also to experience an "accident."

This resulted in consuming an hour and a half. I had previously arranged with a friend of mine, who was to serve our lunch at the resort, to drag the meal for at least another two hours. During luncheon Irias and his secretary imbibed many mixed drinks and several pints of wine. He "opened up," revealing additional revolutionary plans and reiterating others.

Irias expressed a desire to return to the city shortly after 3 o'clock. Department of Justice officials had impressed on me the necessity of detaining Irias until 4 o'clock. To kill additional time, I had arranged for a yacht to be moored on the lake and within full view of the restaurant, in the hope that I might induce Irias and his secretary to board the vessel.

As we left the dining room I pointed out the yacht nonchalantly and advised Irias to "look her over," saying that she resembled a boat that Rosales expected to use in his expedition. Irias, apparently thinking it would delay him but a few minutes, assented, and we went aboard. I suggested that we take a 5 or 10 minute "spin" to show "what she could do."

My previous arrangements included an understanding with the captain of the boat whereby we would run at least 10 miles out and consume at least an hour's time, even if it were necessary to "break" the engines.

Irias, who was fond of boats and boating, enjoyed his "spin" until sleep overtook him as he sat on deck and basked in the warm sunshine. The sunshine, food, wine, and air also affected Irias's secretary. By the time the pair of "sleeping beauties" awakened we were so far out that we did not make the moorings again until after 4 o'clock.

The chauffeur of the automobile had been instructed to delay his return to the city. At 4.30 p. m., about halfway in, we stopped at a road house, which offered me an opportunity for telephoning the department office to learn how affairs were progressing. Department agents informed me that when they had entered Irias's room they were unable to open his trunk and other baggage without breaking the locks on his luggage.

Also, it was said that his baggage contained such an unusually large quantity of important papers that it was utterly impossible in such a limited time to photograph them and return same and have the locks repaired. The officials had decided, they told me, on account of the compromising nature of Irias's documents, to arrest him. But to keep me "covered" from suspicion on the

part of the revolutionists, it was suggested that I "warn" Irias that the secret service agents had searched his room, secured his documents, and were waiting to arrest him on sight, and that I would anchor him in the meanwhile in a "safe place" and at a later hour in the day he would be taken into custody by the Federal authorities.

I hurried out of the road house, assuming a worried and highly alarmed air, and told Gen. Irias I had telephoned my office on a business matter and had been informed by one of my men that he had seen a corps of secret-service men at Irias's hotel, and that they had searched his room, seized his papers, and were coming to the city to locate him.

I thought the general would suffer a stroke of apoplexy. He became immediately sober and began to wring his hands and moan hoarsely. The secretary seemed nauseated, and from the appearance of things I thought a hospital would be the most appropriate place for these men.

I encouraged the general's spirits by saying, "Don't worry, my general; I'm your comrade, not only in sunshine but in storm. Leave it all to me."

I told him I would drive around town with him to prevent his falling into the hands of "those damned secret-service men" and added that we would procure an attorney to fight the case. I advised him to let me hide him until he could get out of New Orleans or could make up his mind what course to pursue.

I took Gen. Irias to a hotel, planted him in a room where an assistant of mine, in offices across the street and employing field glasses, could keep tab on him. The room also was watched from the hallway. However, the general was so impressed with the desire to hide that he wouldn't have left his room had an earthquake shook the structure.

With the general anchored safely, I met representatives of the Department of Justice and was instructed to be back in Irias's new room at 8.30 o'clock that night. I was told that between 8.45 and 9.30 p. m. secret-service operatives would knock on the door, and on admittance they would enter a bitter row with me about the attempted arrest of Irias.

I returned to the apartment at the appointed hour and told him the best thing to do would be for him to leave the city by motor car that night on the Galveston Road. We were to make the attempt at midnight and pick up a train early in the morning. With a sick smile the general said:

"Ah, my good amigo comrade," patting me on the back. "I am in your hands. Do what you like, for I am in a strange land, full of enemies."

At about 9.20 p. m. a resounding knock was delivered on the locked door, which door Irias had tested carefully to see it was locked. This was followed by typical police knocks, and I yelled:

"Who is there?"

The answer, coming in a gruff tone, was:

"Open that door and do it quick, or it will be broken in."

I retorted:

"I will not until you tell me who you are."

The answer came:

"It is the secret service."

At that, Irias, as it appeared to me, would never be able to finish the dash he began toward the bathroom. His secretary took one forlorn look at the bathroom door, through which Irias did manage to stagger, and chose a clothes closet as his temporary refuge.

Meanwhile there came several more knocks. I opened the door. Two Department of Justice agents, accompanied by a pair of city detectives, both friends of mine, pushed into the room. They closed and locked the door. The prearranged dispute was launched in loud tones, and I was asked:

"What in h—l are you doing here? Where is Irias and his revolutionary associates?"

I denied I knew where they were and said the last I had seen of them was at the resort where we had had luncheon. This brought on fits of anger on all sides. Irias and his aid heard all the rumpus and must have thought there was about to be bloodshed. Finally one of the city detectives advised that I be "rapped on the bean" and the room be "frisked." At this a very audible groan floated out from the depths of the clothes closet. I stepped in front of the clothes closet and began wrestling with one of the detectives to "keep him from opening the door." However, he won out and reached in, pulling out the limp form of the secretary.

An assault was made on the bathroom door, which had been locked by Irias. The general apparently had decided to remain in there indefinitely. I then called out:

"The game is up, my general. Open the door and come out."

He did so. While in the bathroom he had removed his coat, vest, collar, and tie. As he came out he had his hand on his stomach and was gasping:

"Oh, Mr. Jon-as, I am so ver' seek. What do these men want here? Tell them to get out my room."

He was told to "put on his clothes and come along." The general, who understood English perfectly, said:

"I am seek, so ver' seek. No comprehendo."

However, the general took three long drinks of whisky and was calmed enough to be ushered, together with the secretary and myself to the jail. As the lockup loomed in view, the general announced that he was hungry. I insisted that he be taken to a restaurant. This was done. Irias was placed in a cell at midnight and held for the Federal authorities.

I assured Gen. Irias in jail that I would arrange bond and procure an attorney. The general, however, not waiting for me to make any arrangements of this character, early the next morning got in touch with an attorney friend of his, who immediately saw the United States district attorney. The latter, after conference with the superintendent of the New Orleans offices of the department, so I was told, agreed to release Irias in custody, provided he would leave the United States. Within a few days thereafter Irias departed from these shores.

Several months prior to this episode there had been a discussion of the case between myself and officials of the Department of Justice in Washington and New Orleans as to the most feasible manner of securing an opportunity of photographing all papers and documents in possession of Rosales and Peralta and returning them so that their plans would remain unchanged and to leave them unaware of the photographing of the papers.

The plan agreed upon was that whenever the opportunity was afforded I was to hurry out to the houses of Peralta and Rosales at some midnight hour, telling them I had been "tipped off" that the secret service planned to search their homes for revolutionary papers. I was to say that these papers, if found in their possession, would send them to prison, and which, as we thought, would result in their becoming frightened and passing their documents to me for safe-keeping and in that way would enable the department to photograph them.

On the night of March 30, 1917, after having wound up the Irias case, I was advised that the "psychological moment" had arrived for lifting the papers. Anticipating that they might not turn over the papers, but instead might sneak the papers out of their houses, we "covered" the houses to insure success in case my first plan failed.

The wisdom of this latter precaution was made obvious. Accompanied by two operatives, I drove to Peralta's house, No. 3426 Canal Street, arriving there at 2.30 o'clock on the morning of March 31. When he came downstairs, I informed him Irias had been arrested and all documents in Irias's room had been seized. I also told him that up to the time of Irias's arrest the latter had been shadowed continually and had been seen with Rosales and Peralta. I added there was no doubt but that Federal authorities early that morning would come to Rosales's and Peralta's houses to take documents.

I suggested that Peralta bundle up everything of a compromising nature and entrust the package to me for safekeeping. He said this was a splendid idea, but declared he had no papers, with the probable exception of a dozen letters that, after all, "amounted to nothing." I told him to get them ready so that I could take them after I returned from Rosales's house, explaining that I was on my way to warn the latter.

Proceeding to Rosales's residence, I awakened him at 3 a. m. He said he would have one of his men, Roman Diaz, carry such compromising matter as he might have to the home of Diaz's sweetheart on St. Louis Street. He added that the papers in his possession "were very limited," but that Peralta had tremendous quantities of the more important ones, and as far as he, Rosales, was concerned, he would immediately burn those he had.

To avoid overplaying my hand, I merely warned him not to destroy his documents, holding forth that such a move would imperil the cause in which we were "interested" and said I would return to Peralta's house for a con-

ference. I told Peralta that Rosales said the latter had "all the important papers." His answer was:

"Rosales is either a liar or is crazily scared."

I spent 20 minutes with Peralta and said good-night, then, returning to Rosales's house. When I arrived there the entire place was full of smoke, with the odor of burning paper rising. He told me he had four grates and the kitchen stove consuming the compromising papers. I said it was "a fine move" and warmly congratulated him for so doing. Incidentally, I could have throttled him for having thought of such a plan.

I suggested to Rosales that he pack the rest of his papers and send them out to be hidden at the homes of some of his aids. I left him at 3.30 a. m., feeling certain that either of the two men would have their bodyguards carry out their most valuable papers. Meanwhile I had the two operatives "planted," one near the door of each home.

About 3.45 a. m., from where I was stationed, in back of some palm trees a block away from Peralta's house and where I had full view of same, I noticed one of Peralta's men come rushing out, lugging a very bulky handbag. One of the operatives permitted this fellow to move half a block and then stepped out and placed him under arrest, accusing him of being a dangerous and suspicious character. The other operative joined his partner, and I then drove up in my car. The Belize Negro of Peralta's instantly recognized me and said:

"Boss, please tell these detectives that I am all right."

I asked him what he was doing out at that hour in the morning, lugging a big grip. He replied that he was on his way to the market to get provisions for Peralta. I protested vigorously about the operatives holding the man, and I called the Negro aside, telling him I would try to bribe one of the detectives to release him. Then I called the officer aside and told him to take the man to police headquarters and hold him subject to the orders of the New Orleans division of the Department of Justice, and then to bring me the grip. It was then about 4 o'clock in the morning.

As I started back toward town, it occurred to me it would be wise to stop again at Peralta's and tell him I had seen one of his men arrested. His house was illuminated and I was admitted by Peralta. Peralta, on being informed of the arrest, became all but insane with fear and anger.

Thrown over my right arm was a raincoat, in the pocket of which was a heavy caliber automatic pistol. I was armed also with a smaller caliber automatic, attached to my belt on the left-hand side. Intuitively I placed my hand on the larger automatic in the raincoat pocket as I stepped in.

He threw his right hand to his hip. He drew his pistol half way. With his face distorted he said:

"I might as well be dead as have that grip which my Negro had fall in the possession of the authorities."

He added:

"By God, Jones, this is all your fault!"

Thinking he intended to take a shot at me, and then to commit suicide, I warned him, never taking my gaze from his eyes:

"Don't draw that gun, for you'll never have time to use it. I have you covered through the pocket of my coat."

To this day I don't understand why, when he attempted to "throw his gun," I did not pump several bullets through his stomach. However, I was able to stand still and to keep cool and convinced him, apparently, that by bribing the detectives or in some other way I could regain possession of the grip. I had left the chauffeur in the car when I entered the house, but much to my surprise he told me that he had crept in the yard and was watching Peralta through a window opening into the hall, and that it was a mystery to him, when Peralta "dove for his gun," why I had not shot the revolutionist.

After cooling down Peralta, I backed out the front door and to be honest about it was glad to have been able to escape from the situation without killing him.

At 5 o'clock that morning the operatives turned the grip full of papers over to me. Within the next hour they were in possession of the Department of Justice officials at New Orleans.

In our casual examination it was found there were hundreds of letters, documents, etc., by and between officers of the Mexican Government in Mexico, some of their officials in the United States and many other compromising matters. These letters and documents fully corroborated all my reports regarding the

plans of Carranza and his officials in connection with Rosales, Peralta, and others in Carranza's Central American revolutionary plots.

The Department of Justice also had confirmed the reports through other sources of information than myself. The New Orleans division officers decided that these papers were of such paramount importance that they be submitted immediately to the Washington headquarters. The papers left New Orleans that morning for the National Capital.

At 9 o'clock a. m., Peralta telephoned me to learn if I had been successful in regaining the grip. I said I had, and added that I had "slipped the detectives a piece of money" and the grip was so full of compromising papers and the Federal authorities appeared to be so hot on the trail that I was afraid that they would be found in my possession and I would be arrested and imprisoned. To play safe, I declared that I had expressed the grip to a relative of mine in Washington for safekeeping.

Several months before this, a party who I thought was a very close friend and who also was friendly with Rosales and Peralta, had been hypnotized by the revolutionists into the belief that untold wealth awaited him if he cooperated with them and they came into power in Honduras. This person had for some time a covert idea that I might be "tipping off" the authorities to Rosales and Peralta.

For some time before I succeeded in flushing the papers out of possession of Rosales and Peralta and into the hands of the authorities, as I learned later, Peralta and Rosales, with never a sign to me, were becoming suspicious, regarding my solicitude in their behalf. This was the result of my friend's treachery to me. For that reason Peralta and Rosales did not turn the papers over to me on the morning I tried to get them.

I also learned subsequently that the treachery of my friend resulted in plans by Rosales and Peralta to have me "bumped off" quietly. I did not know of these facts until two and a half months after the above scenes.

To make my bluff stick in regard to my having warned Peralta and Rosales regarding the raids by Federal agents, the Department of Justice carried out, on the morning of March 31, with Federal search warrants and several operatives, a "blind" search.

That evening at 5 o'clock, at Peralta's request, I went to his house. I had been received prior to this time always in his parlor. His negro cook informed me that Mr. Peralta was upstairs and took me up to one of the bedrooms, where I found Peralta, Rosales and two of their gunmen. This looked odd, so I shook hands with all of them, meantime keeping my back away from any of the quartette. I took a chair and backed it in a corner, where I could watch each man.

I again assured Peralta and Rosales that their papers were safe and that I had telegraphed to have them returned to New Orleans, as Peralta had requested over the telephone that morning. The Rosales-Peralta papers were returned to me on April 9, 1917, and I was instructed to surrender them to their owners, which I did.

Rosales and Peralta, shortly after this date began consummating their final plans and arrangements to start their several revolutionary expeditions against Honduras. The United States, having secured all necessary documentary proof and evidence sufficient to convict all parties involved and with every card in governmental hands, waited quietly for the launching of the movement.

These revolutionists expected by the middle of May to have each of the several expeditions in motion. Delays, however, changed some of their plans and they finally set the date of the expedition which was to leave New Orleans for the first week in August.

Prior to this time they had received a letter regarding one of the boats to be used in the expedition.

This letter from Belize, British Honduras, on December 8, 1916, M. A. Perdomo wrote to Peralta in New Orleans:

"I have investigated whether the boat of Fogarait can go to Payo Obispo, but I am told that she draws too much water to get there, but you can send the big boat easily to Xcalax and wait there for the lighters from Payo Obispo, and that way you do not have to go into the colony at all, as it is very easy to communicate from Xcalax to Payo Obispo.

"In case that you should get to a port in Honduras and that you should need an agent there, I would suggest Mr. Aurelio Lainfiesta, who is a reliable man of good habits and is also employed by us. I shall see to it that he will attend to all your business in the proper manner.

"Without any further news for to-day, I beg to remain,

"M. A. PERDOMO."

During all my connections with these revolutionists, they repeatedly had become indebted to me for various sums of money lent for their expenses and for the purchase of arms, ammunition, and other supplies. All of these items were covered fully by contracts or by memoranda of agreement with them and which were photographed by the Department of Justice as soon as they passed into my hands.

At one time these parties were "in on me" to the extent of more than \$7,000, and in the end my net loss in cash was in excess of \$2,000.

The following are typical of some of their agreements, which, as soon as made, were photographed and copies of same sent to the chief at Washington and to the State Department:

UNITED STATES OF AMERICA.
STATE OF LOUISIANA.
Parish of Orleans.

The following agreement, made and entered into this 19th day of October, in the year 1916, by and between Gen. Maximo B. Rosales, his associates, assistants, and heirs and assigns, a citizen of the Republic of Honduras, Central America, and temporarily residing in the city of New Orleans, State of Louisiana, party of the first part, and Chas. E. Jones, his heirs, and assigns, residing in the city of New Orleans, State of Louisiana, party of the second part, witnesseth:

For and in consideration of services rendered to the party of the first part by the party of the second part, and for the further consideration hereinafter stipulated in this contract, the party of the first part agrees hereby, for a period of one year from date hereof, to purchase from the party of the second part, any and all arms, ammunition, and equipment of every kind and description whatsoever, which said party of the first part may purchase in his individual capacity or in any official capacity; that said party of the first part likewise agrees hereby to purchase from said party of the second part any and all gunboats, steam vessels, sailing and auxiliary vessels, whether armed or not, of any and all kinds of description, exclusively through said party of the second part, and whether the party of the first part purchases said property in an individual or an official capacity, or for himself, or for any political party or government with which the said party of the first part may be connected.

Said party of the first part further agrees hereby to purchase all commissary supplies, uniforms, and equipment of every nature and kind necessary and proper to equip soldiers, sailors, and all other persons that may be or come under his direction and contract.

It is further hereby agreed that it is the intent and purpose of this contract not only to obligate said party of the first part to make all of said purchases through said party of the second part, but also to obligate all of the aides, assistants, and officers of said party of the first part, or who may become aides, assistants, and officers of said party of the first part, to make all such purchases by and through said party of the second part.

It is further hereby agreed that it is the intent of this agreement that said party of the second part shall be the agent of said party of the first part in the making of all purchases as hereinabove set forth and contemplated, whether said purchases are made by said party of the first part directly or through his associates, officers, or assistants, and whether said purchases are made by him as an individual, or political leader, or as an official of any government.

Witness our hands, in duplicate, in the city of New Orleans, on the date first above written.

M. B. ROSALES.
CHARLES E. JONES.

Gen. M. B. ROSALES,
No. 116 South Hagan Avenue, New Orleans, La.

DEAR GENERAL: As per conversation with you to-day, it is herewith understood by and between Señor Pedro Grade de Peralta, yourself, and myself that when the boat for your expedition against Spanish Honduras is ready to leave the port of New Orleans that I will advance or cause to be advanced by other parties the price of \$2,500 worth of food and commissary supplies, such as corn, rice, meat, and other eatables selected by you as per written list that you are to furnish me with. Also, at that time, \$250 worth of boots and shoes as per list you are to furnish me with.

You, in consideration of this, are to give me your note, payable within 30 days from date of said note, for the sum of \$2,750.

I also agree to advance or cause to be advanced by other parties to you, in cash, the sum of \$5,000, same to be placed at your disposal six days before your expedition sails from the port of New Orleans. You, at the time this \$5,000 is placed at your disposal, are to give me your note payable within 30 days from the date of said note.

It is also understood that the said Pedro Grave de Peralta is to indorse said notes.

This agreement, covering the matters mentioned heretofore, is on this 13th day of January, 1917, by and between all of the parties signing same, entered into in the city of New Orleans, parish of Orleans, State of Louisiana, and in the United States of America.

Witnesseth:

ROMAN DIAZ.
LAVISIOS SANCHOS.
M. B. ROSALES.
CHARLES E. JONES.
PEDRO GRAVE DE PERALTA.

About the first week in August, 1917, officials of the Department of Justice and the State Department at Washington decided, so I was informed later, it would be dangerous to take further chances with the possibility of Rosales, Peralta, and their associates slipping out of New Orleans with their armed expedition. Orders, I was told, were issued to the superintendent of the New Orleans Division to close in immediately on all the revolutionists, arrest them, and indict them for violation of the neutrality laws.

On August 5, 1917, Gen. Maximo B. Rosales, who had moved in the meantime to Mandeville, La., was arrested there by department agents. Roman Diaz and Ladisalo Santos and others were taken into custody by the authorities.

Peralta was brought in to the Department of Justice, and, as I was told later, broke down completely and agreed to make a complete confession regarding their entire plans and plots. He was to become a witness for the Government, and, as sometimes occurs, it was probable that he would have received immunity in exchange for his becoming a traitor to his associates and their cause.

I could not have been used as a witness, for it would have blocked my future activities among other revolutionary groups. Peralta at this time made a signed statement, which is on file in the Department of Justice records. These revolutionists had violated every known neutrality law. The Government had sufficient documentary proof to convict all of them, but irrespective of this fact, the United States district attorney at New Orleans, I was informed, recommended to the Attorney General that these men be permitted to elect the privilege of suffering deportation or standing trial for their offenses in the Federal courts. Quite naturally, they elected to be deported.

When Roman Diaz was arrested at New Orleans by Federal authorities, the following diary was found in his possession:

"July 3, 1917. We left New Orleans from Mandeville (a small town 20 miles from New Orleans).

"July 7. Gen. Carranza has given us the necessary help and special orders.

"July 9. I am informed from La Ceiba (a town in Honduras) that partners are ready and that we must fix the date.

"July 17. A letter from Santos advised me that the deal has been closed in Mexico.

"July 19. Lara and Santos call me by cable from Vera Cruz.

"July 20. They tell me to leave in a hurry.

"July 30. We left Mandeville together with the General and Tonche (this refers to Gen. Rosales and his wife) and we had coffee on the boat.

"July 31. They have surrendered their house and I took out my passage. They left New Orleans on August 1, at 6 p. m., and I left them at the boat, which they boarded at 8 p. m. (Referring to Rosales giving up his house at Mandeville. The passage mentioned refers to the passage to Vera Cruz.)

"Rosales, \$1,200.

"I have for the campaign."

"The diary was a list of expenses which he and Santos had

"for the purchase of revolvers, cartridges, clothing, and

provisions, the charter of a boat, and the advance payment to 100 Mexicans who were to participate in a part of the expedition. The total expenditures for this purpose is set down as \$10,180. The diary also included a list of rifles, cartridges, dynamite, powder, canon, lead, bomb throwers, machine guns, carbines for cavalry, two mountain guns, and other equipment.

Following is a sworn statement made by Roman Diaz when he was arrested, the English translation reading:

"My name is Roman Diaz Maldenano, and I am not more than 34 to 36 years old. I am living with my family in Yucaran and Tegucigalpa. Four of my brothers are military men; one of them, Pedro Diaz M., is now in Government service; the other three are farming now and have no longer any military connections.

"I am not doing anything now, and am living on \$500 which I brought with me. I fled from my home in July last year on account of the persecution of the present Government. Membreno was then President ad interim after the death of Bonilla and before the presidency of Bertrand.

"They followed me up to the north coast of Honduras by orders of Membreno and I was put in prison for one month. From there I was freed by the Vacas brothers. With me they made prisoners of Doroteo Hernandez Hufael and Diaz Plata, Samuel Woya, Miguel Anjel Cruz, Jose Antonio Gomez.

"I was military commander of Marcala under Davila in 1911 and Gov. Davila's administration. I was also in three companies with troops of the Government. I also was first aid de camp of the President, Gen. Terrencho Sierra, and Manuel Bonilla.

"I left La Cerbia on the 26th of July, fleeing through the mountains and the plantations, pursued by the soldiers of Monterossa, and after four months I was able to cross into Guatemala.

"I sailed from Puerto Barrios about the 21st or 22d of November and I arrived in New Orleans November 28, 1916. I have been here ever since without any employment and only living off the money which I brought along. I have stopped at several places here, but I was forced to change my abode frequently after having been informed that I was followed by spies of the consul of Honduras. Chavez and I were afraid of them.

"I received about four drafts, the money coming from my family and sent to me through Mrs. Condra Fortin Rosales, and which she handed to me, to be collected from the Whitney Bank. Sometimes money for me was placed to the account of Mrs. Condra Fortin Rosales in Tegucigalpa, and from there the draft was sent to her.

"Sometimes she gave me the money, and then again the draft, which I cashed at the Whitney Bank with an introduction from Gen. Maximo B. Rosales, her husband. At the same time my wife addressed her letters to me here under Pedro Perez, informing me of the amounts deposited.

"The only friend that I have here is Gen. Maximo B. Rosales; all the others are in the employ of the consul, and for that reason are my enemies.

"Maximo B. Rosales handed me \$1,200 on August 1, charging me to deliver it to his friends in Vera Cruz, to be employed in his companies, and I was told to hand it directly to Ladislao Santos, the confidential agent of Rosales. This money is the same that was taken from me by the agents of the Department of Justice of the United States when they examined me here in the office. I recognize Gen. Maximo B. Rosales as the chief of the Liberal Party in Honduras, as he is known all over Central America. In this deal I was employed as a messenger and an agent of Gen. Rosales."

The following is a statement of one of the accounts, showing disbursements by Peralta to his chief, Gen. Maximo B. Rosales, that was secured from Rosales at the time of his arrest:

Miscellaneous	\$102.95
As per receipt of Dec. 2	2,160.00
As per receipt of Dec. 14	400.00
Given to Mrs. Peralta	50.00
On Jan. 19, 1916, miscellaneous	300.00
Trip to Belize and money handed some of our partisans	400.00
Total	3,412.95

Four hundred and fifty dollars loaned to Mr. F. R. Villavicentio, Mexican consul at New Orleans at 4 per cent per month.

You, in consideration of
from date of said note, for

I also agree to advance cash, the sum of \$5,000, expedition sails from this is placed at your disposal from the date of said note.

It is also understood notes.

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day of January, 1917.
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From New York

According to the reports of some persons it is not unusual
willing to join the expedition and that the following are the
British Honduras and Mexico and as far as the British Honduras
Cordoba, Minnie Creek, etc."

A few days after the arrest of Escobar, Emma and Isabel were informed of their association. They called from New Orleans to Mexico, saying that Paula disappeared from the city, headed presumably by Escobar.

In this way ended Carranza's plot to expand his dominion by an Central American by revolutionary intrigues. Through the activities of the Germans would, Carranza's plans and most successful secret service organization in the United States and her allies from facing in Central America a pro-German Mexico.

report by Cresse to Department of Justice re Juan Guevara, of Eagle Pass, Tex., smuggling ammunition from San Antonio, Tex., into Piedras Negras, Mexico:

NEW ORLEANS, LA., *September 25, 1918.*

_____, one of my informants on the border, who has the confidence of Juan Guevara, of Eagle Pass, Tex., who is in the jitney business here, has learned that Guevara for the last several months has been very successfully running ammunition out of the United States to Gen. Peraldi, the military commander at Piedras Negras, Mexico.

Under date of September 11, 1918, _____ wrote me that Guevara carried loads of 30-30 cartridges out of San Antonio, Tex., during the week ending September 2, 1918. These cartridges were carried by Guevara in his trip from San Antonio, Tex., to Eagle Pass, and that when he arrived at Eagle Pass with them they were then slipped over the river to Gen. Peraldi. _____ tells me that Guevara makes the trip by automobile to San Antonio and back to Eagle Pass on an average of about once a week.

_____ states that inasmuch as he is in the confidence of Guevara, that he can easily leave San Antonio, Tex., with Guevara in his automobile when he is loaded with ammunition, and in this way Guevara can be caught with the

I respectfully recommend that _____ be allowed to handle this matter, and be confident of the fact that he can in this way catch Guevara running ammunition.

When I arrive at San Antonio, Tex., will discuss this matter with Mr. Brenning, Superintendent of your San Antonio division, and if my plans regarding a meet with his approval, then in that event will arrange to handle this as suggested with _____.

The ex-Mexican consul at Eagle Pass, Tex., Teodora Frezieres, who has been mentioned in my previous reports as being implicated in smuggling arms out of the United States, has recently been transferred to San Antonio, Tex., and _____, who was consul at San Antonio, Tex., has taken charge of the Mexican consulate at Eagle Pass, Tex.

Seguin likewise has been mentioned in several of my previous reports as being actively engaged in smuggling ammunition out of the United States into Mexico.

Juan Guevara is on very close and intimate terms with Consuls Frezieres and Seguin, and both Consul Frezieres and Seguin are the principals behind the Guevara.

Confidential report by Cresse to Department of Justice re Juan Guevara, of Eagle Pass, Tex., smuggling ammunition from San Antonio, Tex., into Piedras Negras, Mexico.

NEW ORLEANS, LA., *November 13, 1918.*

Under date of November 10 _____ wrote me that Juan Guevara, who has been smuggling arms and ammunition from San Antonio, Tex., to Eagle Pass, Tex., and from there into Piedras Negras, Mexico, for the Mexican Government, recently died from influenza.

_____ also tells me, however, that undoubtedly some of Guevara's associates will continue to smuggle arms and ammunition by automobile out of San Antonio, Tex., in cooperation with Mexican Consul Seguin, of San Antonio, who is operating with Mexican Consul Teodora Frezieres, of Eagle Pass, Tex.

Bibb also recently wrote me that Gen. Peraldi, the military commander in the Piedras Negras district, was offering large inducements for arms and ammunition. I therefore on November 12 wrote _____ as follows:

"Looking over your reports for the past month I notice in your letter of October 2, on page 5 of that letter, you state Gen. Peraldi is offering very strong inducements for 30-30 rifles, carbines, and 30-30 cartridges.

You will remember you wrote me on or about the 1st of October in regard to that fellow Juan Guevara, who has been running arms and ammunition for Seguin, the Carranza consul at San Antonio, in connection with Frezieres, the Carranza consul at Eagle Pass, and if Gen. Peraldi, as you say, in your letter, is offering any inducement for arms and ammunition, hope you will be able to make arrangements through some other party or parties whereby we can sell

The statement of Ladislao Santos, one of Gen. Maximo B. Rosales's messengers and agents in Mexico, which was made by him when he was arrested by United States authorities at New Orleans on August 5, 1917, follows:

"Gen. Maximo B. Rosales's messenger left in the latter part of June, 1917, for Mexico, via Laredo, and reported to Rosales from Mexico City in a letter dated June 28, 1917.

"In this letter he claims to have destroyed his letters and cable codes during an attack of the Villa followers on his train, but adds that everything looks very favorable for their plans in Mexico. He states that he has met J. Miguel Enriquez, another envoy of Rosales, who assures him also that all goes well in Mexico for them.

"This Enriquez is favorably mentioned in a letter from Gen. J. Catro, sub-secretary of war and marine to Gen. Isidro Valdeza, one of the principal leaders of the Guatemalan revolutionists in Mexico, and who was in actual warfare against Estrada Cabrera in 1916.

"Enriquez also reports to Rosales in a letter dated July in Mexico City that Estrada Cabrera is giving aid to the Felix Diaz movement and that Gen. Lee Christmas went to Mexico for that purpose. He says further that the Honduran minister, Wintla, is expected in Mexico City, but adds that he is harmless.

"IN A LETTER DATED MEXICO CITY, JULY 30, 1917, LADISLAO SANTOS, ROSALES'S MESSENGER, CLAIMS THAT HE NEEDS MONEY FOR A VOYAGE TO YUCATAN TO SEE GEN. ALVARADO, THE GOVERNOR OF YUCATAN, ABOUT SOME PROMISED WAR EQUIPMENTS. HE ALSO CLAIMS TO HAVE BEEN INTRODUCED TO GEN. TREVINO AND GEN. OBREGON AND PRESIDENT CARRANZA, AND WHO HAD TOLD HIM TO ASSURE ROSALES OF 200 RIFLES ADDITIONAL. HE THEN REFERRED TO SOME MEXICAN SENATOR AND STATES THAT THIS SENATOR IS HIGHLY INTERESTED IN THEIR UNDERTAKING, AS IT WOULD BE A POLITICAL STROKE THAT WOULD UNSEAT ESTRADA CABRERA. HE ASKED ROSALES TO WRITE TO HIM TO THE HOTEL RITO, ROOM 404, MEXICO CITY. IN THIS LETTER HE BEGS ROSALES TO DISPATCH ROMAN DIAZ TO VERA CRUZ.

"In a letter dated Mexico City, July 24, 1917, Ladislao Santos tells Gen. Rosales that he and Lara have everything ready, cloaking his enterprise in a deal for a plantation, and that they are only waiting for the arrival of Roman Diaz to cut the fruit. He asks Rosales to send the money in gold.

"In a letter dated July 1, 1917, Payo, Territory of Quintana Roo, Mexico, Col. R. Lorian, the representative of Gen. Rosales in that part of the country, tells him that the governor, Carlos Vidal, as well as his assistant, Col. de la Rosa, have been called to the front in Tabasco to fight the rebels and are unable to do anything for him now.

"He advises them to get in touch with the secretary of war in Mexico City through the agents for orders to the successors of these two men, and says that he has a party in the port of Xialac, with the name of Narasco Rivera, who is willing to act as a receiving agent for all the goods shipped there from Vera Cruz.

"According to the reports from other agents of Rosales, their men are still waiting to join his expedition, and they are now strung along in the ports of British Honduras and Mexico, such as Payo Obispo, Corazal, Bellee, Punta Gorda, Stann Creek, etc."

A few days after the arrest of Rosales, Roman Diaz, Ladislao Santos, and other of their associates, they sailed from New Orleans for Mexico. Shortly after that Peralta disappeared from the city, headed presumably for Habana, Cuba.

In this way ended Carranza's plot to expand his dictatorship into all Central America by revolutionary intrigues. Through the activities of the Department of Justice, the greatest and most successful secret service organization in the world, Carranza's plans in connection with Von Eckhardt, the German ambassador, to make all Central America pro-German were defeated, saving the United States and her Allies from facing in Central America a pro-German sentiment and activities there similar to those she had to contend with in Mexico.

Confidential report by Cresse to Department of Justice re Juan Guevara, of Eagle Pass, Tex., smuggling ammunition from San Antonio, Tex., into Piedras Negras, Mexico:

NEW ORLEANS, LA., *September 25, 1918.*

Through _____, one of my informants on the border, who has the confidence of Juan Guevara, of Eagle Pass, Tex., who is in the jitney business at Eagle Pass, learn that Guevara for the last several months has been very active in running ammunition out of the United States to Gen. Peraldi, the Mexican military commander at Piedras Negras, Mexico.

Under date of September 11, 1918, _____ wrote me that Guevara carried 10,000 rounds of 30-30 cartridges out of San Antonio, Tex., during the week starting September 2, 1918. These cartridges were carried by Guevara in his automobile from San Antonio, Tex., to Eagle Pass, and that when he arrived in Eagle Pass with them they were then slipped over the river to Gen. Peraldi.

_____ tells me that Guevara makes the trip by automobile to San Antonio and return to Eagle Pass on an average of about once a week.

_____ states that inasmuch as he is in the confidence of Guevara, that he can arrange to leave San Antonio, Tex., with Guevara in his automobile when he has it loaded with ammunition, and in this way Guevara can be caught with the goods.

Would respectfully recommend that _____ be allowed to handle this matter, for I feel confident of the fact that he can in this way catch Guevara running the ammunition.

When I arrive at San Antonio, Tex., will discuss this matter with Mr. Brenni-man, superintendent of your San Antonio division, and if my plans regarding Guevara meet with his approval, then in that event will arrange to handle this matter as suggested with _____.

The ex-Mexican consul at Eagle Pass, Tex., Teodora Frezleres, who has been mentioned in my previous reports as being implicated in smuggling arms out of the United States, has recently been transferred to San Antonio, Tex., and Seguin, who was consul at San Antonio, Tex., has taken charge of the Mexican consulate at Eagle Pass, Tex.

Seguin likewise has been mentioned in several of my previous reports has been actively engaged in smuggling ammunition out of the United States into Mexico.

Juan Guevara is on very close and intimate terms with Consuls Frezleres and Seguin, and both Consul Frezleres and Seguin are the principals behind Guevara.

Confidential report by Cresse to Department of Justice re Juan Guevara, of Eagle Pass, Tex., smuggling ammunition from San Antonio, Tex., into Piedras Negras, Mexico.

NEW ORLEANS, LA., *November 13, 1918.*

Under date of November 10 _____ wrote me that Juan Guevara, who has been smuggling arms and ammunition from San Antonio, Tex., to Eagle Pass, Tex., and from there into Piedras Negras, Mexico, for the Mexican Government, recently died from influenza.

_____ also tells me, however, that undoubtedly some of Guevara's associates will continue to smuggle arms and ammunition by automobile out of San Antonio, Tex., in cooperation with Mexican Consul Seguin, of San Antonio, who is operating with Mexican Consul Teodora Frezleres, of Eagle Pass, Tex.

Bibb also recently wrote me that Gen. Peraldi, the military commander in the Piedras Negras district, was offering large inducements for arms and ammunition. I therefore on November 12 wrote _____ as follows:

"Looking over your reports for the past month I notice in your letter of October 2, on page 5 of that letter, you state Gen. Peraldi is offering very strong inducements for 30-30 rifles, carbines, and 30-30 cartridges.

You will remember you wrote me on or about the 1st of October in regard to that fellow Juan Guevara, who has been running arms and ammunition for Seguin, the Carranza consul at San Antonio, in connection with Frezleres, the Carranza consul at Eagle Pass, and if Gen. Peraldi, as you say, in your letter, is offering any inducement for arms and ammunition, hope you will be able to make arrangements through some other party or parties whereby we can sell

Peraldi or any of the Carranza crowd all of the arms and ammunition they want. I can secure any quantity and in this way we will be able to involve all of those mixed up in the transaction and in the end cause the arrest of the entire crowd. Keep this very confidential, handle it carefully and I believe something may come of it."

As mentioned in my letter to ———, provided he can handle the matter with Gen. Peraldi for Teodora Frezieres, Mexican consul at Eagle Pass, or Consul Seguin at San Antonio, I will be able to have friends of mine arrange to sell them the ammunition, ——— states they are in the market for.

If you have any suggestions or instructions to give me regarding this proposed plan, in that event will be glad to receive same.

Refer you to my report of September 25, 1918, entitled "Re Juan Guevara, of Eagle Pass, Tex., smuggling ammunition from San Antonio, Tex., into Piedras Negres, Mexico." This report will give you full information regarding how this ammunition previously has been handled. Also refer you to my previous report dated September 24, 1918, entitled "Re alleged participation of Mexican Government in smuggling narcotics out of Mexico into United States and ammunition from the United States into Mexico via Mexican mail coaches and in Mexican mail bags," will give you full information as to how the Carranza Government is getting arms and ammunition out of the United States into Mexico.

(Cresse is code name for Jones.)

STATEMENT BY CHARLES E. JONES REGARDING JUDGE CHARLES A. DOUGLAS, WHICH IS REFERRED TO ON PAGE 5804 OF MR. JONES'S TESTIMONY.

In so much as I have explained to the committee regarding the loyalty of Adam Leckie to the United States and his continued efforts to assist the United States Government regarding Mexican affairs, therefore I believe, in justice to Judge Charles A. Douglas, that I should also inform the committee of the fact that as long as I have known Judge Douglas I have never seen or heard him say or plan to do anything for the Mexicans that could in any way be construed as being harmful or detrimental to the interests of the United States. On the contrary, know that if Bonillas, Carranza, Luis Cabrera, and other Mexican Government officials had followed the advice of Judge Douglas that conditions in Mexico for the last several years would have been far better than they were.

Repeatedly Judge Douglas, as Carranza's legal adviser in the United States, was able to render service of the greatest value to the United States Government. I believe the committee should also be informed at this time of a statement made to me by A. Bruce Bielaski, at that time Chief of the Bureau of Investigation, United States Department of Justice, regarding Judge Douglas. This was in 1916 or 1917. I asked Mr. Bielaski if Douglas could be depended on as far as the United States was concerned in Mexican affairs. Mr. Bielaski said that whenever any emergency arises regarding Mexican matters that Douglas invariably would gladly cooperate with the Department of Justice, and, if necessary, or desired, they could secure from Judge Douglas at all times any information or documents he might have regarding Mexico or Mexicans, provided it would be to the interests of the United States Government for him to furnish same. Furthermore, Mr. Bielaski stated that Douglas, first of all, was an American.

Having known Judge Douglas for several years I consider that his loyalty, as far as Mexican affairs is concerned, was always of the same type as that of Adam Leckie.

Confidential report by Cresse to Department of Justice re Jerome S. Hess, of New York, calling at Mexican embassy, 1413 I Street NW., Washington, D. C.

NEW ORLEANS, LA., July 6, 1918.

On July 1, at about 4.45 p. m., Mexican Ambassador Bonillas, Godchaux, and myself were in the front parlor on the right-hand side of the hall, and the door bell rang and a maid went to the door. I heard a man ask for Bonillas, and the maid told him that the ambassador was busy. The man, however, insisted that he was a close personal friend of the ambassador and told the maid that

he was Mr. Hess and to take his card to the ambassador. The maid therefore brought the card into the parlor, and the ambassador sent word to Hess to call later. Godchaux palmed the card off the card tray in the hallway as we went out.

The original card with the name Jerome S. Hess, in his handwriting on the back of his card, is herewith attached to this report.

Hess is a member of the firm of Hardin & Hess, 50 Pine Street, New York.

(Cresse is code name for Jones.)

Confidential report by Cresse to Department of Justice re attaché of French Embassy at Washington calling at Mexican Embassy at Washington.

NEW ORLEANS, LA., *July 8, 1918.*

During my recent trip to Washington, several times called at the Mexican Embassy as per my previous reports.

On the afternoon of June 28, at about 2.45 p. m., when I entered the embassy was shown by the butler to the parlor on the right-hand side of the hall, and at that time heard conversation between a man and a woman in the parlor on the left-hand side of the hall.

After the butler left me I took a look into the parlor where the man and woman were, and saw that the man was dressed in a uniform of a French Army officer, and that the young lady he was talking to was Miss Bonillas, one of the daughters of the Mexican ambassador.

A few moments thereafter they came out of the parlor and as they came through the door of the parlor the French Army officer had his arm around the waist of the young lady.

They left the embassy and entered an automobile which was driven by the French Army officer. The Maryland license of this automobile was No. 80237.

At about 4 p. m. that afternoon by telephone reported this matter to Mr. Pike, of your Washington office.

(Cresse is code name for Jones.)

Confidential report by Cresse to Department of Justice re various visitors to the Mexican Embassy at Washington, D. C.

NEW ORLEANS, LA., *July 8, 1918.*

Among the parties in Washington who visit the Mexican Embassy is a Madame Brull.

Also Lieut. Joseph J. Coppola, of the Italian military mission.

Confidential report by Cresse to Department of Justice re party by name of Heinemann who appeared to be a German, calling at Mexican Embassy, Washington, D. C.

NEW ORLEANS, LA., *July 8, 1918.*

On the afternoon of June 28, at about 2.45 p. m., as Godchaux and myself reached the Mexican Embassy, we saw a party just going up the steps to the front door, and as he rang the bell he pulled a cardcase out of his pocket and took a card from same. I read the name Heinemann on the card in his hand, but could not get the initials, as his thumb was over same.

When the maid opened the door he asked if a certain party was there to meet him (could not catch the party's name). The maid told him no, but to come back between 4.30 and 5 p. m. and the party would be there. Heinemann then left and walked away from the embassy.

He has the facial characteristics of a German. He wore nose eyeglasses, had blue eyes, blonde hair, ruddy complexion, clean shaven, weight about 145 pounds, 5 feet 8½ inches in height, wore a gray suit, tan shoes, Panama hat, and carried a cane.

At about 4 p. m. that afternoon by telephone reported this matter to Mr. Pike of your Washington office, and suggested that one of your operatives pick up Heinemann when he returned to the embassy at 4.30 p. m. and tail him to his hotel, office, or residence, and in that way learn who he was.

(Cresse code name for Jones.)

Confidential report by Cresce to Department of Justice re interviews with Ignacia Bonillas, Mexican ambassador to the United States at Washington, D. C., and ideas and plans suggested as result of these interviews which may help to offset Germany's strength in Mexico.

NEW ORLEANS, LA., July 19, 1918.

Per instructions received from Mr. Pike and yourself, I had several interviews with Bonillas, the Mexican ambassador, each of these lasting from one to four and a half hours.

As fully covered in my previous reports and personal interviews with the chief and Mr. Pitse in regard to the Mexican Government having employed me to handle their secret-service work in the United States, I therefore, was in a position to talk very frankly to the ambassador regarding the feeling in the United States toward Mexico caused by their pro-German policy.

I told the ambassador I had learned while in New York on this trip, likewise while having lunch with several prominent Congressmen and Senators, also from many prominent newspaper men in Washington, that are personal friends of mine, that it seemed to be a consensus of opinion from all of the parties mentioned that Mexico had and was asking and expecting of the United States many political and diplomatic courtesies between Governments at peace with each other, and that in turn Mexico, so all of the parties seem to think, wanted everything from the United States and in turn did not appear to be willing to even meet the United States halfway.

I then told the ambassador that I could not understand how his Government expected the United States to arrest and prosecute the many Mexican revolutionary leaders and their supporters in the United States, clogging up the courts with such prosecutions, spending many hundreds of thousands of dollars in apprehending these Mexican revolutionary leaders, thereby eliminating all of the enemies in the United States of Mexico, and in turn after having done all of that for the Government of Mexico, then to see each hour and day the Government of Mexico allow thousands of Germans and other enemies of this country in Mexico to carry on activities of every kind that were just as dangerous, harmful, and detrimental to the interests of the United States as the Mexican revolutionary parties in the United States were to his Government.

Also told the Mexican ambassador that he certainly must realize, and if he did not, then a little investigation on his part would convince him of the fact that my statement was correct, which was that the press of the United States were bitterly opposed to President Carranza, and the present Mexican Government, and this opposition on the part of the press of America, was due entirely to the stand Mexico had taken in regard to openly being a friend and supporter of Germany on this continent; likewise on account of Mexico allowing Germans in that country to openly do everything in their power that had been and would be in the future harmful to the United States.

I also explained to the ambassador that as far as I was able to learn from certain friends of mine in the newspaper business in Washington, likewise from conversation with several Congressmen and Senators who were intimate friends of mine, that they feel the United States would be an absolute fool to ever do anything for Mexico, unless Mexico in turn showed a disposition to cooperate along equitable lines with the United States.

I then told the ambassador I had learned from personal observation on my last trip up and down the Mexican border and throughout other parts of the country that many of the city, county, and State officials, and the same applied to prominent business and professional men, but that had the utmost hatred for the Mexican Government, this being due entirely to the apparent pro-German and anti-American sentiment in Mexico.

I likewise at that time said to the ambassador that no one more than he fully understood that the United States as a Government was the most moral, honest, and honorable Government in the world, which he admitted, likewise the best friend Mexico had to-day in the world. He said he hoped so, and I also told him, irrespective of the fact that it was apparently common knowledge in the United States, whether correctly so or not, that Mexico was called pro-German and anti-American in every way, nevertheless, knowing my country and its Government officials as I did by reputation, that whenever any of the Mexican revolutionary leaders committed any overt acts against Mexico in the United States the authorities would immediately prosecute them, and this had been amply proven in the past by such prosecutions.

At my last interview with the ambassador in the presence of Godchaux, on the afternoon of July 1, 1918, which lasted from 3 p. m. to 6.15 p. m., I put as many hot and direct shots into the ambassador's hide along these lines as I possibly could, and in turn, if it is possible to be convinced of the honor and integrity of any Mexican, and it is a debatable question if such a one ever existed, nevertheless, Bonillas apparently fully realizes that it will pay Mexico in every way not to have a break with the United States.

I asked Bonillas the point-blank question as to why Mexico had not and would not declare war on Germany and he said that the relations between the Mexican people and those of Germany had always been friendly; therefore, in so much as Germany had given Mexico no provocation of any kind, he felt sure the reason President Carranza and the Mexican Congress and Senate had not declared war on Germany was due to the fact to do so would be dishonorable, inhuman, and absolutely immoral.

I then said to the ambassador for the sake of argument whether the present position of President Carranza is correct or not, nevertheless, President Carranza is a Mexican, and the future of Mexico at this moment to a very great extent is in his hands, and whether right or wrong in your opinion, Mr. Ambassador, do you not think that if Mexico was to declare war at the present time on Germany it would give Mexico countless opportunities to again put Mexico in her right position among the nations of the world, likewise give her the opportunity to secure financial assistance from the Allies and to effect new treaties with all of the Allies, likewise when all of the claims against Mexico were eventually presented for settlement which now existed, if an ally of the Allies could make a good settlement regarding such claims it would give to Mexico many things along these lines and other ways too numerous to mention. The ambassador said undoubtedly my supposition as outlined would mean a great deal to Mexico, but unfortunately President Carranza was in the minority, and that irrespective of his individual influence in Mexico as its present leader he had to contend with many of his senators, congressmen, Government officials, and army officers who may not feel as he did.

I then said, "Mr. Ambassador, I am talking to you at the present moment as the paid representative of the Mexican Government, and it is my duty as such to give you facts as I understand them; therefore my statement, of course, under those circumstances could not be considered offensive," and he said, certainly not, and I then told him it seemed to be pretty well understood in the United States that President Carranza had been bought by the German Ambassador to Mexico City, and that President Carranza likewise was cooperating with the Government of Germany, acting under suggestions received from the German Ambassador to Mexico City.

The ambassador's face at this remark hardened up, turned rather pale, and he looked like he did not appreciate the statement I had made. He however took it very nicely and then said, "Yes, it is unfortunate and a great pity that such remarks have been made, but, nevertheless, I tell you on my honor that President Carranza has never taken one single cent from the Government of Germany, directly or indirectly, nor from any person or persons that are in any way directly or indirectly connected with any of the interest of Germany that may try to influence him as far as the Government of Germany is concerned."

I then said to him, "Mr. Ambassador, is it true that the majority of the army officers of the Mexican Government are in the pay of the German Ambassador to Mexico City or of other interests that are friendly to Germany?" I also said that I had heard many times that many of the Mexican army officers were on the pay roll of the German Ambassador to Mexico.

The ambassador said unfortunately probably part of my information along those lines were correct, and undoubtedly some of the Mexican army officers had taken money from Germany, but he felt sure he could honestly say, that those Mexican army officers as a whole were in the minority, and as far as the majority of the Mexican army officers are concerned, my statement is incorrect. The ambassador also said that treachery on the part of one's own country's army officers undoubtedly existed in all governments, and then said some of your own United States Army officers have or may be taking money from German interests.

I then said to the ambassador, if as a fact some of your Mexican army officers are in the pay of Germany, and President Carranza decided to declare war on Germany, what effect would it have as far as those army officers in the pay of Germany being able to attempt to overthrow President Carranza, and I also

said, Suppose that a large part of the Mexican army officers are in the pay of Germany, how then, in that event, if President Carranza thought that Mexico should declare war on Germany, could he safely do so. The ambassador said that if such a condition really existed it would be dangerous for President Carranza to attempt to declare war on Germany, for if the majority of his army officers were in the pay of Germany, it would result in the present Mexican Government being overthrown by the army, provided Carranza attempted to declare war on Germany.

I then said to the Ambassador I understand there also were some prominent newspapers in the United States who have repeatedly stated President Carranza has been doing everything he possibly could and that he will continue to do so, that is in every way as he sees and understands it harmful and detrimental to the interests of the United States, Carranza doing this simply with an idea of eventually forcing the United States to make him a financial proposition, likewise give him other favorable treaty concessions, so that if the United States were to do this Carranza would have accomplished financially and politically a great deal for his country, and in turn for these favors he would declare war on Germany and lose nothing by so doing. The Ambassador said, yes, he had also heard the same rumors, but they were not so.

Summing up my several conversations with Bonillas during the last week, which he believes were given me by him to enable me to get published in the newspapers of the United States, which he, of course, wants and expects to be very favorable to Mexico, and convinced of the fact that he is in every way strictly a Mexican, and he will at all times go to any extreme to endeavor to hypnotise or double-cross the State Department whenever he can secure an opportunity to do so.

However, Mexican as he is, which means individual selfishness, likewise always endeavoring to look out first for his own interests therefore, fully understanding the situation between his country and the United States as he does, that he to stay in his present position, and the same applies to his future politically and financially in Mexico, am inclined to believe there is an opportunity through my talking to him in the most direct manner possible for the State Department, and saying to him many things that the State Department could not personally say to him, and in the end probably be able to constantly throw a scare into him regarding the necessity of making certain recommendations to President Carranza, which may be fruitful in the way of results which might be advantageous to the United States.

I came to Bonillas very highly recommended by Andres Garcia, of El Paso, in whom he has a great deal of confidence, likewise from the consul general at New Orleans and from Adam Leckie who, as you know, is a very close personal friend of his. On June 28 he wrote Leckie regarding me as follows:

EMBAJADA DE MEXICO,
Washington.

WASHINGTON, D. C.,
28 de Junio de 1918.

Sr. ADAM LECKIE,
*Edificio del Banco de Londres,
Mexico, D. F.*

MUY ESTIMADO Y FIJO AMIGO: Con fecha 25 de junio recibí su carta de 20 de Mayo, que me entregó el Sr. Charles E. Jones, y tendré satisfacción en obsequiar la recomendación de Ud.

Me repito su atto. y afino S. S.,

Y. BONILLAS.

TRANSLATION.

Under date of June 25 I received your letter of May 20, which was handed to me by Mr. Charles E. Jones, and I will take pleasure to favorably consider your recommendation.

Your attentive and affectionate sure servant.

NOTE.—The above copy of Bonillas's letter was sent to me by Leckie.

I told Bonillas that I believe he should from time to time give out newspaper interviews that define the position of Mexico, and that I would have same published in all of the daily papers throughout the United States, and which eventually may lead Bonillas into making some positive declaration which may

force Carranza into a more definite position regarding his present attitude toward the United States in regard to the European War.

In my report of December 24, 1917, under the heading of "Confidential report re Mexico from information secured from A. E. L. Leckie" I at that time sent forward to your department information in regard to the majority of the Mexican Army officers being in the pay of the German Government. That part of my report in part was as follows:

Learned from Leckie there is absolutely no truth in the many reports which have been circulated in the United States to the effect that Pablo Gonzales and Carranza are about to have a break. Leckie stated Gonzales of course had many different arguments with Carranza, but all of them were friendly and that the spirit of cooperation and friendship between Carranza and Gonzales, as he understood it, was as strong as ever.

"Leckie also said Gonzalez was extremely active in regard to having Carranza declare war on Germany, and no matter how this situation eventually ended, he believed Gonzalez would always be against Germany.

"Leckie said Gonzalez had repeatedly urged Carranza not to interfere with Gen. M. Paleaz, in the Tuxpam oil fields, on account of the fact that it might result in the United States and her allies taking charge of all the Mexican oil fields. Gonzalez told Leckie to talk to Carranza about these matters and urge him to leave Paleaz alone at this time.

"Leckie then stated he had several interviews with Carranza in regard to the fact that Carranza had everything to gain and nothing to lose by declaring war on Germany, and also to under no circumstances at this time attempt to interfere with Gen. Paleaz in the Tuxpam oil fields, and his principal argument with Carranza was that if he attempted to attack Gen. Paleaz and run him out of the oil fields it would probably result in Gen. Paleaz or some of the Carranza troops setting fire to the oil fields or destroying property there, which, as Leckie understood, it would result in England asking the United States to take charge of the oil fields, due to the fact that England proposes to have the oil from there irrespective of consequences.

"Leckie told me there was absolutely no doubt in his mind but that Carranza, and practically all of his officials, had become convinced of the fact that they should declare war on Germany, and were about ready to do so at the time the Germans began their recent Italian drive, and he believed if this move on the part of Germany in Italy had not been made that by now Carranza would have declared war on Germany.

"Leckie then said that after much quiet investigation on his part, and after many talks with Gonzales and others, both for and against the United States, there was no doubt in his mind but that the entire Mexican Army crowd has been bought up absolutely by German interests in Mexico, and that these German interests are paying from time to time the prominent Mexican Army officers large additional sums of money.

"Leckie, however, is inclined to believe Carranza has and will continue to hold out for some time before he will even admit that he is considering any plan which will result in Mexico breaking with Germany. Carranza hopes in the end to in this way secure assurances of financial assistance from the United States."

I at that time discussed with Leckie as to whether Carranza was in the pay of the German Government or not, and he stated he felt sure of the fact Carranza was not in the pay of Germany. If this is correct German money in Mexico is running short.

You will remember in many of my reports for 1916 and 1917, regarding the Rosales Honduranian and other Central American revolutionary movements, I at that time was able to secure possession of the majority of the papers of Rosales, Peralta, and their associates, which were sent forward to your department to be photographed. In these papers were included letters from Carranza, C. Aguillar, Minister of Foreign Affairs, Gen. Obregon, Gen. Greene, Gen. Hill, and from many other prominent Mexican Government officials, which prove they were implicated financially, politically, and otherwise in endeavoring through Rosales and Peralta of the Honduranian revolutionary party, Gen. Castillo, Dr. Guzman, and others of the Guatemalan revolutionary parties, Dr. Julian Irias of the Nicaraguan revolutionary party, Dr. Paradoma of the San Salvadoran revolutionary party, which proved that Carranza and his officials expected and hoped to be able through each of these revolutionary leaders in Central America to overthrow all of the present existing Central American Governments and place in each of those country a revolutionary leader as president who would have been made president of each of those countries largely due to the financial and political support of Carranza and his officials.

As I see the Mexican situation to-day, am convinced of the fact that the money spent by Carranza through Gen. Maximo B. Rosales, Dr. Julian Irias, Dr. Daradona, Gen. Castillo, and others in endeavoring to overthrow the Central American Governments, as mentioned hereinbefore, was German money that passed through Carranza's hands for the purpose of establishing governments in Central America that would, if they had been successful in their revolutionary efforts at that time, have given Germany the opportunity to-day in each of those countries that she (Germany) now has in Mexico.

Your department being in possession of photographic copies of all of these original letters, likewise enables me to have the opportunity to show to Bonillas that the Mexican Government would be playing with the most dangerous fire if they in any way cooperated to any further extent with Germany, for in doing so if a break is thereby caused between Mexico and the United States, at that time it will be proven that Carranza had hoped and attempted to overthrow all of the present Central American Governments. The proof, no matter how positive it is, will in the end, I believe, not carry much weight in even making the people of Latin America have a friendly feeling for the United States. The only value of these documents, letters, etc., at the present time, would be to use as a club on Bonillas and Carranza.

Carranza personally will not believe to any great extent, and pays but very little attention to the individual opinions or reports from his various Government officials. For instance, if Ambassador Bonillas reported to Carranza that the feeling in the United States was very antagonistic toward Mexico, on account of pro-German activities in Mexico, Carranza would be inclined to consider this was simply a personal belief of Bonillas.

However, as stated to Mr. Pike and yourself, believe that I will be able not only to have Bonillas send in reports to Carranza, but likewise can impress upon his various consuls and his friends and supporters throughout the United States that Mexico is playing with fire, in regard to their present pro-German attitude, and in my conversations with each of these various Mexican consuls that are scattered over the United States, I feel sure that I can convince them of the fact that it is their duty to advise President Carranza of the feeling toward his Government in the United States.

As each and every one of the Mexican consuls in the United States are always anxious to send any information to Carranza, so that in this way he can convince Carranza of the fact they are on the job, and as each of these consuls after I have a straight talk with them will probably consider they have something important to report to Carranza and as I hope will report to him the talk that your department or the State Department will want me to hand to the consuls, likewise that he, the consul, can hardly understand how Mexico can expect the United States to eliminate all of the Mexican revolutionary leaders and their supporters in the United States, when in turn Mexico is allowing German activities of every kind, to the detriment of the United States, to exist in Mexico.

My supposition is that each consul in his eagerness as he will think, to send something new and fresh in the way of information to Carranza, will send this information to Carranza as if it had been secured from observation. If my plan can be successfully carried out believe Carranza, in this way will receive from 25 or 30 of his consuls likewise from his friends and supporters in the United States reports along these lines that will convince him of the fact that his present policy is a grave mistake. These reports reaching Carranza from such widely distributed points, and from a large number of his consuls, are bound to make an impression on him for he then will realize that it is not the mere idea or opinion of one man.

The thought may occur to you that these consuls will quote me as their source of information when making their reports to Carranza regarding this matter. This is hardly under any circumstances liable to happen due to the fact that these Mexican consuls never give credit to any one for information furnished and to make an impression upon Carranza, will endeavor to make him believe they have worked very hard to secure their opinions along these lines.

Another phase of this matter is that I will likewise throw a very stiff scare into all of these various Mexican consuls regarding the great danger to the Mexican Government existing at the present time caused by the reorganization of the Mexican revolutionary movement in the United States which I can prove to them is amply financed and in a position to be a most dangerous factor in eliminating Carranza and all of his followers in Mexico. This will likewise

be instantly reported to Carranza as the individual opinion of each of his consuls.

I also when I see Leckie during the latter part of this month or early in August at San Antonio, per my previous reports, will talk to him very straight in regard to the danger of the revolutionary movement against Mexico, and of the sentiment against Mexico in this country in regard to their pro-German attitude, and as Leckie and all of his associates in the United States and Mexico are financially very heavily interested in their various Mexican investments, it will result in Leckie likewise working on Carranza and his prominent officials, also through his Mexican law partners of Mexico City and with Douglas, and I feel sure that between Leckie, Douglas and their associates in Mexico that Carranza through them will receive some very strong facts that may cause him to wake up.

As stated in my report of July 12, 1918, under the heading of "Information pertaining to the present Mexican situation which I expect to obtain from Adam Leckie of Mexico City and Washington, D. C." I in that report forwarded the following information in part:

"Leckie is, as mentioned in many of my previous reports, on very intimate terms with President Carranza of Mexico and Secretary C. Aguillar, Mexican minister of foreign affairs. He, therefore, is in a position to be thoroughly posted as to the true conditions in Mexico regarding the German situation in that country, likewise should be fully aware of the real Mexican sentiment regarding the United States at this time.

"Leckie is the junior member of the Mexican law firm of Gonzalez, Roa, Carbajal & Leckie, with offices at Edificio del Banco de Londres, Mexico 18, Mexico City. Gonzales Roa, of Leckie's firm, is general counsel for the National Railways System in Mexico, also chief associate counsel for the United Railways of Yucatan, also the Reguladora del Henequen of Yucatan. Likewise the department of agriculture, the Mexican Monetary Commission, also the commission of legislation, also director and professor of the University of Mexico, general attorney in Mexico for the Wells Fargo Express Co. and many other corporations.

"Carbajal was the Carranza minister to Costa Rica and Nicaragua, likewise minister plenipotentiary to Russia, later to the United Kingdom. After he returned to Mexico he occupied the position of under secretary of state and at the present time is the legal adviser for the Mexican finance department.

"Leckie, therefore, on account of his partnership arrangement with these two Mexicans who I understand are very close personal friends of Carranza, likewise act as his personal legal and political advisers, has given to Leckie an opportunity to secure probably more correct information pertaining to the true situation in Mexico than almost any other American."

Leckie, therefore, through his own influence, and that of his Mexican law partners, can talk to Carranza and his officials in such a way that it should be productive of results with them. The services so far rendered along the lines by Leckie to the United States have been of great help and value to our Government.

Another part of this proposed plan is for me to request each agent of your department in every town that has a Mexican Consul to carefully select three or four of the most reliable American business and professional men of known loyalty in that town and who have never had any connection with the various Mexican factions. These men could be, for instance, a prominent preacher, banker, doctor, lawyer, or of any business provided he met our requirements as to his general reputation and loyalty to the United States.

After your local agent picked these men and they had been checked up to the limit, your agent and myself would see each man we had selected and explain to him that the Mexican situation was rather critical and that we wanted him in some manner to begin to cultivate the Mexican Consul in his town, apparently cultivating him for personal or business reasons, likewise inviting the Consul to his home and club for social affairs, and in many other ways putting the Consul under personal and social obligations to him. In a few weeks the friendship between these business men and the Consul should have developed to the extent that the business men could then begin to drift into conversations with the Consul regarding the Mexican situation. After that the Americans could begin to lay their plans to press into the Consul's brain that the United States is, after all, Mexico's best friend and that Mexico with such American propaganda talk to the Mexican Consuls and other friends

and supporters of the present Mexican Government in the United States, being scientifically showered on these Mexicans and in such a manner as to not overplay the proposition, felt sure that all of this in the end would reach Carranza and his officials from his consuls, and as direct information and opinions of his consuls.

This plan is along the lines of my own propaganda work direct to the Mexican Consuls, as outlined in detail on pages 7 and 8 of this report.

Believe if I am given the opportunity to try this plan out in connection with the plan regarding my talk to the Mexican consuls and friends and supporters in this country as mentioned hereinbefore, that I am capable of handling same, so that it may produce some results which may be of value to the United States.

By constantly keeping in close personal contact with each of the American business men and professional men selected for this propaganda work I can keep them hustling to produce results, or each of your local agents can do so on direct instructions from your department.

It is almost impossible to put in a report details of such propaganda work, but it can, I feel sure, be very easily and successfully worked out in person.

The same class of propaganda work can be successfully carried out by trusted Americans in Mexico.

I personally stated several times to Mr. Pike that as I understand the Mexican, Central American, and South American situation, that Germany if she can force this country to have a break with Mexico is thereby deliberately forcing the United States to play into her (Germany's) hand.

My interpretation of this supposition is that if we have a break with Mexico, and declare war on her, or were forced to send troops in to pacify that country, inasmuch as all of the citizenship of South America, Central America, and Mexico total approximately 95,000,000 people, all of whom are of Spanish or Latin blood, and therefore clannish to the core, and that if Germany therefore can force the United States to intervene in Mexico or Germany would try to convince them to pick a row with us, Germany in doing so plays one of her most successful trump cards, for after the present European war is ended our trouble with Mexico, if we have it, will enable Germany's financial and commercial interest to have more than a fair chance to secure a foothold commercially in South America, Central America, and Mexico, using as an opportunity to do so that the United States declared war on Mexico, which, according to the Mexican and Latin American race, would, as Germany would try to convince them, was a direct insult to the Spanish-speaking people of Central America, South America, and Mexico.

We, in this way, as I see and understand it, would give Germany an opportunity to secure a foothold after the war that under no circumstances should Germany be allowed to have in Latin America and Mexico.

My supposition can be offset by the statement that if the United States was in a position to present to the people of Mexico, Central America, and South America absolute proof of Mexico's cooperation with Germany and that such proof in turn would kill Germany's opportunity to extend her commerce after the war in the countries mentioned.

Proof or no proof, as I see and understand it, knowing the Latin Americans as I do, it would be of very little weight with them.

I am firmly convinced of the fact that it is my duty to recommend as strong as I possibly can that in one way or the other whether playing the cards above or under the table that the present Mexican situation be won by diplomacy.

If, as a matter of fact, my supposition is correct and that is I am absolutely convinced of the fact that Germany to-day owns and controls the policy of the present Mexican Government, she certainly won it diplomatically or financially, and if such is the case the United States should likewise diplomatically or financially try to undo Germany's gain there and secure possession of Mexico along the same lines that Germany did.

IF AFTER ALL FINANCIAL, DIPLOMATIC, AND PROPAGANDA EFFORTS CAN NOT WIN MEXICO OVER TO THE UNITED STATES, THEN IN THAT EVENT EVEN IF THE UNITED STATES HURTS HERSELF COMMERCIALLY IN LATIN AMERICA FOR THE NEXT FIFTY YEARS, THE UNITED STATES SHOULD IRRESPECTIVE OF HER PROSPECTIVE LOSS COMMERCIALLY IN CENTRAL AND SOUTH AMERICA AT ONCE INTERVENE IN MEXICO AND HOLD ITS CONTROL ON MEXICO FOR SEVERAL YEARS AFTER THE EUROPEAN WAR ENDS, SO THAT IN THIS WAY GERMANY WOULD HAVE ABSOLUTELY NO OPPORTUNITY TO DO ANY BUSINESS IN MEXICO.

It is a very hard matter to cover in detail all points pertaining to the various suggestions mentioned in this report, but feel sure that my past record with your department in regard to producing results in Central American and Mexican affairs entitles me to have the opportunity to endeavor to work these plans out and which may be productive of results.

The information I am furnishing to the Mexican Government at the present time, per my previous reports, in regard to the activities of the various Mexican revolutionary groups in the United States has been so arranged that it will thoroughly convince Carranza of the fact that at the present time the reorganized revolutionary movement of his Mexican political enemies and their associates in the United States, which is a combination of every faction opposed to Carranza, and who have joined the new combination, is so well organized, equipped, and financed that when it begins to successfully operate that the chances are more than even they will have an excellent opportunity to overthrow the present Mexican Government.

I expect in this way to be able to probably open up the way to force Bonillas to make some proposition to the State Department which in turn might give them the opportunity to force a trade on Bonillas.

My present plans in regard to carrying out the proposed propositions mentioned hereinbefore, likewise the plans in my report of July 19, under the heading of "Plan proposed by me in regard to capturing German military spies in Mexican and Texas towns along the border," is to leave New Orleans during the first week of August with Godechaux and A. T. Howell, and this trip will take me to Houston, Galveston, San Antonio, Brownsville, El Paso, Laredo, Corpus Christi, Del Rio, Eagle Pass, and a few other border towns in Texas; Phoenix, Tucson, Nogales, and other towns in Arizona; several border towns in New Mexico, Los Angeles, Calif., and a few other points where Mexican consuls are located. Believe that I will, as opportunities under circumstances which may develop as this trip progresses, be able to continue to have sent through various consuls of the Mexican Government, likewise through their strong friends and supporters of Mexico in the United States, a volume of information which will never be traced back to me, and which, in the end, will give Carranza many things to think over and which may be productive of beneficial results to the United States.

I feel sure all of this information reaching Carranza from his various consuls, his friends, and supporters regarding the activities of his revolutionary enemies in the United States, likewise the other propaganda work mentioned hereinbefore, will probably frighten him into at least cooperating with the United States in regard to elimination of some of the activities of the Germans in Mexico.

As my last trip to Mexico and along the border in April and May, 1918, was productive of considerable results regarding Mexican and other matters, part of which I secured from Mexican officials, believe that this trip will likewise be productive. If my proposed trip meets with your approval will greatly appreciate having you advise me immediately regarding whatever instructions you may desire to give me.

If the time ever comes, and the chances are more than 50 per cent that it may happen, whereby Germany's hand in Mexico, by force, should be forever crushed by the United States and at the same time the people of Mexico, as a whole, be taught to respect the lives and property of Americans in Mexico, then in that event, knowing Mexico as I do, I ask that I will be remembered and assigned to the intelligence force in the first expedition that lands in Mexico.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re break alleged to have occurred between Carranza and Gen. Obregon.

NEW ORLEANS, LA., September 26, 1918.

Understand within the last four or five weeks Carranza and Obregon have not been on friendly terms and that they are now on the verge of an absolute open break, which, if it has not already occurred, will become a reality now almost any moment.

The feeling between Carranza and Obregon for the last year, while apparently in the open was extremely friendly, nevertheless, Obregon, who has always felt that he was the logical candidate for the presidency of Mexico in

the next Mexican presidential elections, which are to be held in September 20, 1920, has realized, so his friends and supporters claim, that during the last year Carranza has been doing everything he possible could to secretly tear down and destroy the presidential aspirations of Obregon.

Understand that the reasons for the open break which is now said to exist between Carranza and Obregon, were caused by Carranza giving amnesty to Pedro Ojeda, who is an old federal general and who is known from one end of Mexico to the other to be one of the bitterest personal and political enemies of Gen. Obregon.

At the time Carranza extended his amnesty to Gen. Ojeda, Obregon at that time is said to have written Carranza and likewise made the statement to his friends and supporters that Carranza had forgotten the fact when he (Carranza) came to the State of Sonora after he had been defeated in the State of Coahuila, he was without food, clothes, and even without shoes, and at that time he (Carranza) asked the people of Sonora to help him. Obregon has also told Carranza and his friends that whatever Carranza was or had been, he (Obregon) and his friends and supporters had really made Carranza.

Obregon is also said to have told Carranza that he was fully aware of Carranza's work and plans in regard to double-crossing him in the next presidential elections.

It is also said that Carranza now fully realizes his mistake in openly offending Obregon at this time, and to offset this mistake has offered, as President of Mexico, amnesty to all of the old federals and has asked and urged them to return to Mexico.

Among the old federal revolutionary sympathizers in the United States, and this also applies to the friends and sympathizers of Gen. Obregon, it is believed by them that this is a plan of Carranza to rally around for himself as much support as he can secure from the old federal revolutionists, and if he can accomplish this, then, in that event, it may offset to a great extent his split with Obregon.

Under date of July 16, 1918, I forwarded report entitled "Presidential candidates in the next presidential elections and serious Mexican situation which may arise from same at that time." Respectfully refer you to this report as mentioned for full details in regard to the plans and allegiances that Obregon has and is making to offset the work of Carranza in regard to defeating Obregon in the next presidential elections.

If the present break between Carranza and Obregon grows, it will result within the next few months in Obregon undoubtedly starting a revolutionary movement against Carranza.

As mentioned in my report of July 16, regarding the next Mexican presidential elections, Obregon already is on friendly and intimate terms with Esteban Cantu, governor of Lower California, who has, so it is said, promised his support to Obregon.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re plan proposed by me in regard to capturing German consuls and German military spies in Mexican and Texas towns along the border.

NEW ORLEANS, LA., *July 19, 1918.*

As mentioned to Mr. Pike and yourself (Chief Bielaski), during my last trip to Washington in June, 1918, I believe my proposed plan in regard to eliminating some of the most active German consuls and German military spies in various Mexican towns across from United States territory is feasible and contains more than a fair chance of being successfully carried out.

As stated to you in person, many of the Mexican towns along the border, such as Matamoros, Nuevo Laredo, Piedras Negras, Juarez, and many other towns of the same class, and farther down in Mexico have, since the United States entered the war, given the German consuls in those towns, assisted by German military and naval officers, the opportunity to secure from the towns in the United States across the border a great deal of information which they undoubtedly have considered valuable, and which likewise may have been harmful to the interests of the United States.

A concrete example of the activities of the Germans along these lines is that of the German consul at Nuevo Laredo, Mexico, who has been assisted in his work there for Germany by a Capt. Hinsch and a certain Herman Ruckheim, as mentioned in my previous reports.

The following plan in regard to eliminating the above-mentioned parties can be, I believe, successfully carried out by me, with the assistance of Godchaux and one or two other parties.

On account of my present friendly, official, and personal connection with the Mexican Government, I can secure for myself and for those it might be necessary to have assist me, credentials from the Mexican Government which will enable me to come and go into Mexico without interference from their officials.

Believe it is possible for Godchaux and myself, likewise others I may use to personally work our way into the confidence of several of the German consuls along the border, likewise some of their military spies on the Mexican side of the river, and hope to be able to a certain extent by feeding them from time to time a line of fake military or naval information, same to be furnished by the Bureau of Army Intelligence or your department and which would be of no harm to the United States, and of no value to them. Believe that in this way, due to their desire to secure information, that I can at least gain sufficient of their confidence to have them at a certain time meet me a few miles out of the particular Mexican town that is their headquarters, ostensibly meeting me at such place to secure from me at that time a lot of important military maps, etc., and if such a meeting is carried out on the Mexican side of the river, then spies in that event would simply knock out or kidnap the German consul or military spy, shove him over the river onto United States territory, and they would then be turned over to our Army officers.

The thought may occur to you that the prisoner would put up a yell that he had been kidnaped from Mexican territory; however, if he did, in that event it would be his own fault, for when he woke up he would be on United States territory.

Another part of the plan is to run in Godchaux and other ringers on these German consuls and military spies, letting these ringers for several weeks feed them a line of phony information, until they had secured their confidence, and then at a later date make arrangements to meet the Germans three or four miles out of towns on the American side of the river, and if such a meeting can be arranged, as I believe it can be, then in that event the Germans could be caught on United States territory, or if for some reason the German or Germans would not leave the Mexican town it is quite possible that they could be drugged, or knocked on the head in their office or on an automobile ride and then taken over the river into the United States.

Furthermore, am satisfied of the fact that a great deal of the information that is reaching German consuls and German military spies in Mexico and on the border is going to them from Mexicans and others who are operating on the United States side of the river.

The chances are even that I also may be able to likewise open up leads which may enable me to learn of the identity of these spies for Germany on the American side of the river.

Another part of this proposed plan is that Andres Garcia, Chief of the Mexican Secret Service, and Inspector General of Mexican Consulates, who is as cold as a piece of ice, and who considers human life of no value if it stands in the way of producing results for his department, he, therefore, will go to an extreme to make a showing with President Carranza.

Believe I can propose to Garcia, who has a certain amount of confidence in me, and is likewise convinced that I can be of value to his government, that it would be an excellent idea to surrender to me several of the most notorious German spies along the border, and in turn at the time these Germans are turned over to me, that I will likewise deliver to him several of the revolutionary leaders on the border that Mexico is very anxious to get.

As far as the Government of Mexico is concerned, do not believe they would enter into an arrangement of this kind, but feel sure of the fact that Garcia in his desire to make a showing to the Mexican Government will enter into plan with me, whereby if I can deliver to him a few of these prominent Mexican revolutionists, that he likewise at the same time, will turn over to me several of the most prominent German spies in Mexico. Of course as far as Garcia would ever know, the United States would in no way have any connection with such a plan. I would simply tell Garcia here, you want to do something for your country and I do also for mine, let's arrange a trade of this kind, you kidnap a few of these Germans for me and I likewise will kidnap a few of the Mexican revolutionary leaders you want.

I am putting this proposal plan in the form of a report, as per your request. The only assistance I will need is to have the subrosa cooperation from your

agents along the border, who in turn in a quiet way at the proper time can, if necessary, secure the assistance of the Army Intelligence Bureau.

As stated to you in person if at any time this proposed plan resulted in my becoming involved in Mexico or anything personally happening to me, nothing would ever be known about it as far as our Government is concerned. Furthermore, handling the matter as suggested, as far as the United States is concerned, they officially would have nothing to do with the matter, therefore, in no way would they be involved in same, provided in some way I might blunder.

I have handled for your department practically all of the matters pertaining to the Honduran, Nicaraguan, San Salvadoran and Guatemalan Central American revolutionary movements for the last three years, likewise a very large percentage of all of the inside information pertaining to the activities of the Felicista Mexican revolutionary matter, and a great deal of the information furnished to your department regarding the Villista and other Mexican revolutionary matters were obtained through me, likewise many others matters, and to date I have so far successfully handled these matters with but few mistakes, therefore feel sure that my past record in regard to producing results entitles me to have the opportunity to at least attempt to eliminate to a certain extent the activities of the German consuls and German military spies along the border.

It is almost impossible to convey complete plans or ideas in a report regarding a matter of this kind, for as a rule such plans have to be worked out as the matter develops, and as per conditions pertaining to the local situation where the case is handled.

It is also possible as this proposed plan develops in the future that it may open up the opportunity to eliminate in one way or the other many of the German spies in the interior of Mexico that you stated you were very anxious to get possession of.

I feel absolutely sure of the fact that I can secure some results along these lines and will greatly appreciate having you give me the opportunity to try to do so.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re request for information from chief as to name of Germans in Mexico.

NEW ORLEANS, LA., July 31, 1918.

While discussing with you in Washington the German situation in Mexico, and details of my plans in regard to capturing several of the German military spies along the Mexican border, you mentioned the fact that there were several Germans in the interior of Mexico that your department were very anxious to get possession of.

If my suggestions meet with your approval in that event, will greatly appreciate having you send me the names and addresses of the Germans in the interior of Mexico that your department is interested in, for it may be possible that I might be able to secure the elimination of these Germans that your department is interested in.

Will greatly appreciate having you definitely advise me through your New Orleans office at the earliest possible date regarding this matter, so I can go ahead with my plans regarding this proposition.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re American Army officer stationed at El Paso, Tex., visiting the German consul three times in one week at Juarez, Mexico.

NEW ORLEANS, LA., May 13, 1918.

On the morning of April 19 secured information from Andrew Garcia, Carranza consul at El Paso, Tex., that an American Army officer whose name understood was either Lieutenant or Captain Hughler (am not certain that this name is correct), had during the last six or seven days crossed the International bridge at El Paso and called on each of his trips on the German consul at Juarez, Mexico. I could not press Garcia too strongly for details regarding the visits of this American Army officer to the German consul at Juarez.

Just before going to your local office at El Paso to report this matter to Mr. Jones your special agent at El Paso, learned that Col. Willard, United States Army intelligence officer at El Paso, had likewise secured a lead or information regarding the United States Army officer who had called on the German consul at Juarez. Gave all of the information I had to Mr. Jones, and asked him if Col. Willard had likewise reported the matter to him. Mr. Jones told me he had not.

Being on friendly terms with Garcia, telephoned him from Jones's office, and asked if Col. Willard had seen him in regard to this Army officer, and Garcia told me he had.

The first that your El Paso office heard of this matter was from me, and which shows complete lack of cooperation and assistance that should be extended by Col. Willard and his office to your representative at El Paso. Also understand this is not the first instance regarding lack of cooperation from Col. Willard's office to your El Paso office.

TESTIMONY OF MR. N. T. JONES.

(The witness was duly sworn by the chairman.)

The CHAIRMAN. You may state your name.

Mr. JONES. N. T. Jones.

The CHAIRMAN. Mr. Jones, you are a brother of the witness who has been testifying, Charles E. Jones?

Mr. JONES. Yes, sir.

The CHAIRMAN. In the work that he has been doing, as he has testified, have you generally accompanied him and assisted him in such work?

Mr. JONES. Yes, sir.

The CHAIRMAN. You are familiar then with the work which he and you have been doing and to which he has testified?

Mr. JONES. Yes, sir.

The CHAIRMAN. Have you heard his statements here?

Mr. JONES. Yes, sir.

The CHAIRMAN. And are they, of your knowledge, true?

Mr. JONES. Yes, sir.

The CHAIRMAN. Is there anything in addition to what he has stated which you care to state for the record?

Mr. JONES. No, sir. He has covered the ground very fully, and I can swear to the truth and correctness of all the statements he has made from my own personal knowledge.

The CHAIRMAN. You were present with him at these conversations which he has testified to with the Mexican ambassador, Bonillas, in this city?

Mr. JONES. Yes, sir; also at all conversations with De Negri, Seguin, and all other conferences with Mexican officials that he has testified to.

The CHAIRMAN. How does it happen that you gentlemen have been present together at these conferences?

Mr. JONES. Well, we were both very much interested in the whole matter, and we have always made it a habit to have a witness in securing any information from any of these Mexicans, either one of ourselves or some other outside witness.

The CHAIRMAN. Was there possibly a thought that the Jones family might last longer if you traveled together?

Mr. JONES. Yes, sir; there have been some threats made, and we thought it would probably be better if we traveled in pairs.

The CHAIRMAN. I believe that is all, Mr. Jones. I thank you very much.

The committee will adjourn until to-morrow afternoon at half past 2.

(Whereupon, at 1.15 p. m., the committee adjourned until Wednesday, May 19, 1920, at 2.30 o'clock p. m.)

UNITED STATES DEPARTMENT OF JUSTICE.

BUREAU OF INVESTIGATION.

OFFICE OF DIVISION SUPERINTENDENT.

NEW YORK CITY, *December 21, 1918.*

N. T. JONES, Esq.,

Special Agent of the Department of Justice.

New York, N. Y.

DEAR SIR: December 31 will mark the closing of my service in the department and the end of a happy year I have spent in the association with you in the New York district. I wish to thank you personally for the efficient, earnest, and loyal help you have given to the department, the New York division, and to me during this period. Your part in helping to win the World War has been no small one, and to you more than to me is due credit for the excellent results this office has attained.

I wish you a Merry, Merry Christmas and the best of success for the New Year.

Yours, sincerely,

CHAS. DEWOODY,
Division Superintendent.

INVESTIGATION OF MEXICAN AFFAIRS

HEARING

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

SIXTY-SIXTH CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 106

DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS
OF THE UNITED STATES IN MEXICO

PART 21

(STATE DEPARTMENT EXHIBITS)

Printed for the use of the Committee on Foreign Relations



WASHINGTON
GOVERNMENT PRINTING OFFICE
1920

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INVESTIGATION OF MEXICAN AFFAIRS.

DEPARTMENT OF STATE, *Washington.*

Hon. ALBERT B. FALL,
*Chairman Subcommittee to Investigate Mexican Affairs,
Committee on Foreign Relations, United States Senate.*

SIR: I have the honor to acknowledge the receipt of your letter of September 6, 1919, reading as follows:

"The Subcommittee of the Senate Foreign Relations Committee investigating Mexican affairs hopes to begin hearings at once. There will be called certain witnesses whose testimony will be along the lines of the business and petroleum interests in Mexico.

"With this end in view, if it is not inconsistent with the best interests of the Government, the committee desires that you furnish it with information in regard to all protests to the Mexican Government or to any Mexican official, as to any law or proposed law, or decree, affecting American rights in Mexico, and especially affecting petroleum. Also, the committee will be grateful if your department can furnish in addition to the copies of the protests, copies of the replies of the Mexican Government or of any Mexican official thereto."

In reply I have the honor to inclose herewith, copies of 37 documents on the subject of Mexican decrees affecting the rights of American oil interests in Mexico. Additional papers on other subjects relating to Mexican affairs will be sent to you as soon as the copies have been made.

I have the honor to be, sir,
Your obedient servant,

WILLIAM PHILLIPS,
Acting Secretary of State.

Inclosures: Correspondence between Secretary of State and American diplomatic and consular officers in Mexico. (37 documents, Nos. 1 to 37).

VERA CRUZ, MEXICO, *June 28, 1914.*

DEPARTMENT OF STATE,
Washington.

Wireless from Tampico: "June 27, 8 p. m. Local authorities have been ordered to strictly enforce decree for collection of oil-production tax in Mexican gold or in United States currency at rate of two for one. Most companies have paid, but some have not as they regard it unjust to arbitrarily enforce rate of exchange of two for one when prevailing rate is about three for one. Orders have been received not to allow ships to be dispatched if production tax is not paid and same rules probably will be applied in cases of bar dues. Companies do not complain of amount of production tax which is rate provided by law under Madero administration instead of 75-cent rate by decree of Gen. Huerta. They feel that it is unjust for authorities not to accept constitutionalists currency or at least accept New York exchange at prevailing rate. Total of bar dues and production tax under present administration is 70 cents Mexican or 35 cents American currency. Under preceding administration was \$1.25 or about 42 cents American currency, but present procedure of fixing exchange rate is regarded as arbitrary and illegal and companies believe instead of ships being detained on account of nonpayment such charges pending decision of legality of same that some method should be adopted which will permit shipments to continue and at same time protect interests of both Government and shippers. Miller."

CANADA.

DEPARTMENT OF STATE,
Washington, June 29, 1914.

AMERICAN CONSUL,
Brownsville, Tex.

Forward to: Geo. C. Carothers, Monterey.

Call on Consul General Hanna and ask to be shown departments June 26, 5 p. m., regarding La Barra taxes.

Represent to Gen. Carranza in the strongest possible manner the injustice of these demands in refusing to accept Constitutionalists currency or at least accept New York exchange at prevailing rates.

Companies believe instead of ships being detained on account of nonpayment such charges pending decision, that some plan should be adopted which will permit shipments to continue, and at same time protect Government and shippers.

BRYAN.

MONTEREY, MEXICO, *July 5, 1914.*

SECRETARY OF STATE,
Washington:

Very favorable answers have been received from the secretary of hacienda relative to my representatives made to Gen. Carranza in behalf of the Huasteca Oil Co., the matter of exchange, kind of money to be accepted, clearance of oil ships, and American oil interests. I have telegraphed Consul Miller at Tampico.

CONSUL GENERAL HANNA.

VERA CRUZ, MEXICO, *July 9, 1914.*

DEPARTMENT OF STATE,
Washington, D. C.:

Wireless from Tampico: "July 8, 8 p. m. Department's July 6, 7 p. m. Local authorities have not yet received order to accept New York exchange at prevailing rate. Same order should be sent Tuxpam authorities, as production tax in Panuco Topila fields must be paid in Tuxpam July 15. As banks are not open will probably be difficult to determine prevailing rate of exchange. While this rule, if enforced, will not end all discrimination in favor of Tuxpam as against Tampico, it will reduce the amount of that discrimination as much as the difference between the prevailing rate of exchange and the arbitrary rate of two for one. There will be no further complaint if this ruling is fairly put into effect. Miller."

CANADA.

DEPARTMENT OF STATE,
Washington, July 10, 1914.

AMERICAN CONSUL GENERAL,
Monterey, Mexico:

Yours July 5, 8 a. m. On July 4 Canova telegraphed from Saltillo that secretary of Hacienda had directed port authorities at Tampico to accept New York exchange at prevailing gold rate and to facilitate movement of shipping.

Consul at Tampico telegraphs July 8 that local port authorities had not received orders said to have been issued by secretary of Hacienda. He says the orders should also be issued to Tuxpam authorities, as production tax in Panuco-Topila fields must be paid in Tuxpam July 15. As banks are not open will probably be difficult to determine prevailing rate of exchange.

Point out to Gen. Carranza the injustice of authorities declining to accept constitutional currency, in view of decree No. 21, dated February 28, 1914, and signed by Venustiano Carranza, making it obligatory upon officials as well as the public to accept constitutional currency. Department understands this decree has never been repealed. Earnestly endeavor to arrange with Carranza for the acceptance of this currency in payment of la barra and other taxes. If banks at Tampico were open New York exchange could be conveniently arranged. As they are closed, it is practically impossible.

BRYAN.

SALTILLO, MEXICO, *July 11, 1914.*

SECRETARY OF STATE,
Washington:

Yours July 10, 7 p. m., referred to [Hanna?] Villarreal, being in Monterey. Office here assures me orders were sent to accept New York exchange at prevailing gold rates, and it has telegraphed Villarreal substance of your message.

CANOVA.

VERA CRUZ, MEXICO, *July 17, 1914.*

DEPARTMENT OF STATE,
Washington:

Wireless from Tampico: "July 17, 10 a. m. Department's July 16, 10 a. m. Authorities absolutely refuse to accept any rate except two for one, which they claim is prevailing rate for Mexican gold. Absolutely no concessions have been made in response to action of Department State in matter. Miller."

CANADA.

MONTEREY, MEXICO, *July 18, 1914.*

SECRETARY OF STATE,
Washington:

Following is transmitted for Vice Consul Silliman: "July 18, 8 p. m. Yours July 15, 9 p. m. Consul Miller is still at his post. After conference with secretary of finance this afternoon and with reference to Consul General Hanna's of July 16, 3 p. m., matter of payment of export duties at Tampico appears to reduce to this: The basis of charge is the Mexican gold peso. Constitutionalist claim that it is only fair that products sold for gold should pay their taxes in gold; further they claim that they are justified in limiting the extent to which their money shall be used as legal tender if Mexican gold is not available New York exchange which is thought to be easily obtainable in Tampico will be accepted as a convenience. Those who need it must make their own arrangements for it. If they buy it with Constitutionalist or other money they must pay what the sellers demand. Silliman."

CONSUL GENERAL HANNA.

DEPARTMENT OF STATE,
Washington, January 19, 1916.

Consul JOHN R. SILLIMAN,
Queretaro, Mexico:

Department reliably informed de facto authorities contemplate issuing a decree providing for the nationalization of petroleum, which, if we are correctly informed, would affect most seriously the interests of numerous American citizens and other foreigners who have heretofore engaged in the business of producing and selling petroleum in Mexico. Point out to Gen. Carranza in unequivocal terms the dangerous situation which might result from the issuance of any decree of a confiscatory character. Request that definitive action be delayed until department shall have had opportunity to examine proposed decree, and mail copy thereof to department.

LANSING.

QUERETARO, *January 21, 1916.*

SECRETARY OF STATE,
Washington:

Department's January 19, 4 p. m., information concerning nationalization of petroleum.

The secretary in charge of the department informed me this afternoon the Government is not contemplating such a decree. On the contrary, he showed me a contract just signed with an American firm for the construction of about 60 kilometers of oil pipe line in the Tuxpam district.

SILLIMAN.

QUERETARO, MEXICO, *January 26, 1916.*

SECRETARY OF STATE,
Washington:

Department's January 19, 4 p. m., and department's January 22.

Nationalization of petroleum.

In accordance with department's wishes, subject was taken up personally with Gen. Carranza. He informed me this morning: "The Government is not contemplating the issuance of a decree nationalizing the petroleum industry." This confirms statement to me by Subsecretary Rouaix.

SILLIMAN.

JANUARY 22, 1917.

CHARLES PARKER, Esq.,
*Representing American Interests,
Queretaro, Mexico:*

The department's attention has been called to certain proposed provisions relating to rights of foreigners in Mexico, which provisions, it appears, the convention in session at Queretaro has decided to incorporate into the Mexican Constitution.

The first paragraph of article 27, relating to the expropriation of private property, appears to confer on the Executive the power to determine, without any legislative authority and without any judicial recourse being afforded to property owners to pro-

tect their rights, the necessity or utility of property, the condemnation of which, to him, may seem advisable. The vesting of such extensive powers in the Executive appears objectionable. It would seem desirable that at least the question as to whether property is taken for a public purpose should always be subject to judicial review.

The seventh paragraph of the same article provides that civil and commercial companies may not own and operate for themselves properties of an area greater than that absolutely necessary for the accomplishment of the purposes of their creation, and that the executive shall in every case determine the appropriate area. The objection to a provision so capable of capricious application appears evident. The precise conditions under which the power vested in the executive may be exercised are not defined. No safeguards are afforded against unwise or arbitrary executive acts. The fact that purchases would seemingly in all cases be subject to executive sanction would alone appear to show the impossibility of any proper practicable application of such a provision. While it is hardly to be supposed that it is intended to give this provision retroactive effect, should this be done such action would apparently result in confiscation of property rights vested under existing laws and treaty stipulations, since no provision is made for compensation for property taken and since property would evidently not under such conditions be taken in the proper exercise of the right of expropriation.

Article 28, providing that there shall be no exemption from taxation would apparently, if improperly given a retroactive effect, impair the obligation of contracts of many foreign corporations now operating under agreements, concluded either with the Mexican Federal Government or with the Mexican States, which provide for certain exemptions from taxation for periods that have not yet expired.

By the first and second paragraphs of article 33, it is provided that the executive may expel from the country forthwith and without judicial process any foreigners whose presence he may deem inadvisable, and that there shall be no appeal from his decree. These provisions apparently confer authority on the executive to expel foreigners without regard for the general practice of nations, which confines the exercise of the power of expulsion to cases in which just cause for the exercise of this harsh measure are clearly shown. The express power of the executive to expel, for reasons satisfactory to himself, aliens who have been permitted to enter Mexico, would seemingly place all aliens in that country in a position of insecurity and would appear to be at variance with the apparently growing tendency of nations to restrict the exercise of this right with a view to affording safeguards against the expulsion of aliens in an arbitrary manner inconsistent with the proper protection of their just rights and with a view to the observance of the rules of international comity.

The third paragraph of article 33 provides that foreigners may not acquire real estate unless they shall declare their intention to waive their citizenship and the protection of their governments in all matters appertaining to the property. The Government of the United States has, in the past, made clear, as doubtless have other nations, that it can not concede the right of Mexico to limit, by its municipal law, this Government's right of intervention to protect the rights of its citizens residing or sojourning in that country, nor concede that waivers such as those referred to in this provision can annul the relations of citizens to their own government and extinguish the obligation of this Government to protect its citizens in Mexico. In so far as the proposed provision would hamper the transfer to another foreigner of foreign-owned lands, it would apparently in a sense be confiscatory of rights enjoyed by the foreign owner from the time of his acquisition of the property.

[Paraphrase.]

You are instructed to bring the foregoing immediately to the attention of Gen. Carranza, and state that the provisions above mentioned seem to indicate a proposed policy toward foreigners which is fraught with possible grave consequences affecting the commercial and political relations of Mexico with other nations. Further, that the American Government can not acquiesce in any direct confiscation of foreign-owned properties in Mexico or indirect confiscation. You will bring to the attention of Gen. Carranza the department's earnest desire that he give these matters his careful consideration with a view to avoiding the possibility of the disturbance of hitherto pleasant relations existing between the two governments, and with a view to avoiding future serious difficulties under the proposed constitution with any government organized under it.

LANSING.

POLITICAL CONSTITUTION OF THE UNITED STATES OF MEXICO, SIGNED JANUARY 31, 1917, AND PROMULGATED FEBRUARY 5, 1917.

[Translated for the Mexican Review by H. N. Branch.]

TITLE I, CHAPTER I.—THE RIGHTS OF MAN.

ARTICLE 1. Every person in the United States of Mexico shall enjoy all rights prescribed by this constitution; these rights shall neither be abridged nor suspended except in such cases and under such conditions as herein provided.

ART. 2. Slavery is forbidden in the United States of Mexico. Slaves who set foot upon the national territory shall by this very act recover their freedom and enjoy the protection of the law.

ART. 3. Instruction is free; that given in public institutions of learning shall be nonsectarian. Primary instruction, whether higher or lower, given in private institutions shall likewise be nonsectarian.

No religious corporation nor minister of any religious creed shall be permitted to establish or direct schools of primary instruction.

Private primary schools may be established only subject to official supervision.

Primary instruction in public institutions shall be free.

ART. 4. No person shall be prevented from engaging in any profession, industrial, or commercial pursuit or occupation which he may deem fit, provided it be lawful. The exercise of this liberty may only be forbidden by judicial order when the rights of third persons are infringed, or by executive order, issued under the conditions prescribed by law, when the rights of society are affected. No one shall be deprived of the fruit of his labor except by judicial decree.

Each State shall determine by law what professions shall require licenses, the requisites to be complied with in obtaining the same, and the authorities empowered to issue them.

ART. 5. No one shall be compelled to render personal services without just compensation and without his full consent, excepting labor imposed as a punishment by judicial decree, which shall conform to the provisions of subdivisions I and II of article 123.

Only the following public services shall be obligatory, subject to the conditions set forth in the respective laws: Military service, jury service, service in municipal and other public elective office, whether this election be direct or indirect, and service in connection with elections which shall be obligatory and without compensation.

The State shall not permit any contract, covenant, or agreement to be carried out having for its object the abridgment, loss, or irrevocable sacrifice of the liberty of man, whether by reason of labor, education, or religious vows. The law, therefore, does not recognize the establishment of monastic orders, of whatever denomination, or for whatever purpose contemplated.

Nor shall any person legally agree to his own proscription or exile, or to the temporary or permanent renunciation of the exercise of any profession or industrial or commercial pursuit.

A contract for labor shall only be binding to render the services agreed upon for the time fixed by law and shall not exceed one year to the prejudice of the party rendering the service; nor shall it in any case whatsoever embrace the waiver, loss, or abridgement of any political or civil right.

In the event of a breach of such contract on the part of the party pledging himself to render the service, the said party shall only be liable civilly for damages arising from such breach, and in no event shall coercion against his person be employed.

ART. 6. The expression of ideas shall not be the subject of any judicial or executive investigation, unless it offend good morals, impair the rights of third parties, incite to crime, or cause a breach of the peace.

ART. 7. Freedom of writing and publishing writings on any subject is inviolable. No law or authority shall have the right to establish censorship, require bond from authors or printers, or restrict the liberty of the press, which shall be limited only by the respect due to private life, morals, and public peace. Under no circumstances shall a printing press be sequestered as the *corpus delicti*.

The organic laws shall prescribe whatever provisions may be necessary to prevent the imprisonment, under pretext of a denunciation of offenses of the press, of the vendors, newsboys, distributors, workmen, and other employees of the establishment publishing the writing denounced, unless their responsibility be previously established.

ART. 8. Public officials and employees shall respect the exercise of the right of petition, provided it be in writing and in a peaceful and respectful manner; but this right may be exercised in political matters solely by citizens.

To every petition there shall be given an answer in writing by the official to whom it may be addressed, and said official shall be bound to inform the petitioner of the decision taken within a brief period.

ART. 9. The right peaceably to assemble or to come together for any lawful purpose shall not be abridged; but only citizens shall be permitted to do so in order to take part in the political affairs of the country. No armed assembly shall have the right to deliberate.

No meeting or assembly shall be deemed unlawful, nor may it be dissolved, which shall have for its purpose the petitioning of any authority or the presentation of any protest against any act, provided no insults are proffered against the said authority, nor violence resorted to, nor threats used to intimidate or to compel the said authority to render a favorable decision.

ART. 10. The inhabitants of the United States of Mexico are entitled to have arms of any kind in their possession for their protection and legitimate defense, excepting such as are expressly prohibited by law and such as the nation may reserve for the exclusive use of the army, navy, and national guard; but they shall not bear such arms within inhabited places except subject to the police regulations thereof.

ART. 11. Every man has the right to enter and leave the Republic, to travel through its territory and change his residence without necessity of a letter of security, passport, safe conduct, or any other similar requirement. The exercise of this right shall be subordinated to the powers of the judiciary, in the event of civil or criminal responsibility, and to those of the executive insofar as relates to the limitation imposed by law in regard to emigration, immigration, and the public health of the country, or in regard to undesirable foreigners resident in the country.

ART. 12. No titles of nobility, prerogatives, or hereditary honors shall be granted in the United States of Mexico, nor shall any effect be given to those granted by other countries.

ART. 13. No one shall be tried according to special laws or by special tribunals. No person or corporation shall have privileges or enjoy emoluments which are not in compensation for public services and established by law. Military jurisdiction shall be recognized for the trial of criminal cases having direct connection with military discipline; but the military tribunals shall in no case and for no reason extend their jurisdiction over persons not belonging to the army. Whenever a civilian shall be implicated in any military crime or offense, the cause shall be heard by the corresponding civil authorities.

ART. 14. No law shall be given retroactive effect to the injury of any person whatsoever.

No person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed and in accordance with previously existing laws.

In criminal cases no penalty shall be imposed by mere analogy or even by a priori evidence, but the penalty shall be decreed by a law in every respect applicable to the crime in question.

In civil suits the final judgment shall be according to the letter or the judicial interpretation of the law; in the absence of the latter the general legal principles shall govern.

ART. 15. No treaty shall be made for the extradition of political offenders, or of offenders of the common class, who have been slaves in the country where the offense was committed. Nor shall any agreement or treaty be entered into which abridges or modifies the guarantees and rights which this Constitution grants to the individual and to the citizen.

ART. 16. No one shall be molested in his person, family, domicile, papers or possessions except by virtue of an order in writing of the competent authority setting forth the legal ground and justification for the action taken. No order of arrest or detention shall be issued against any person other than by competent judicial authority, nor unless preceded by a charge, accusation or complaint for a specific offense punishable by imprisonment, supported by an affidavit of a credible party or by such other evidence as shall make the guilt of the accused probable; in cases in flagrante delicto any person may arrest the offender and his accomplices, placing them without delay at the disposition of the nearest authorities. Only in urgent cases instituted by the public attorney without previous complaint or indictment and when there is no judicial authority available may the administrative authorities, on their strictest accountability, order the detention of the accused, placing him at the disposition of the judicial authorities. Every search warrant, which may only be issued by the judicial authority and which must be in writing shall specify the place to be searched, the person or persons to be arrested and the objects sought to which the proceeding shall be strictly limited; at the conclusion of which a detailed written statement shall be

drawn up in the presence of two witnesses proposed by the occupant of the place to be searched or in his absence or refusal by the official making the search.

Administrative officials may enter private houses solely for the purpose of determining that the sanitary and police regulations have been complied with; they may likewise demand the exhibition of books and documents necessary to prove that the fiscal regulations have been obeyed, subject to the respective laws and to the formalities prescribed for cases of search.

ART. 17. No one shall be imprisoned for debts of a purely civil character. No one shall take the law into his own hands, nor resort to violence in the enforcement of his rights. The courts shall be open for the administration of justice at such times and under such conditions as the law may establish; their services shall be gratuitous and all judicial costs are accordingly prohibited.

ART. 18. Detention shall be inflicted only for offenses meriting corporal punishment. The place of detention shall be different and completely separated from that set apart for the serving of sentences.

The Federal and State Governments shall organize in their respective territories the penal system—penal colonies or prisons—on the basis of labor as a means of regeneration.

ART. 19. No detention shall exceed three days except for reasons specified by the formal order of commitment, which shall set forth the offense charged, the substance thereof, the time, place, and circumstances of its commission, and the facts disclosed in the preliminary examination. The said facts must always be sufficient to establish the corpus delicti and the probable guilt of the accused. All authorities ordering any detention or consenting thereto, as well as all agents, subordinates, wardens, or jailers, executing the same, shall be liable for any breach of this provision.

The trial shall take place only for the offense or offenses set forth in the formal order of commitment. If it shall develop in the course of trial that another offense different from that charged has been committed, a separate accusation must be brought. This, however, shall not prevent the joinder of both causes of action, if deemed advisable.

Any maltreatment during apprehension or confinement; any molestation inflicted without legal justification; any exaction or contribution levied in prison are abuses which the law shall correct and the authorities punish.

ART. 20. In every criminal trial the accused shall enjoy the following guaranties:

I. He shall be set at liberty on demand and upon giving a bond up to 10,000 pesos, according to his status and the gravity of the offense charged: *Provided, however,* That the said offense shall not be punishable with more than five years' imprisonment; he shall be set at liberty without any further requisite than the placing of the stipulated sum at the disposal of the proper authorities or the giving of an adequate mortgage bond or personal security.

II. He may not be forced to be a witness against himself; wherefore denial of access or other means looking toward this end is hereby strictly prohibited.

III. He shall be publicly notified within 48 hours after being turned over to the judicial authorities of the name of his accuser and of the nature of and cause for the accusation, so that he may be familiar with the offense with which he is charged, may reply thereto, and make his preliminary statement.

IV. He shall be confronted with the witnesses against him, who shall testify in his presence if they are to be found in the place where the trial is being held, so that he may cross-examine them in his defense.

V. All witnesses which he shall offer shall be heard in his defense, as well as all evidence received, for which he shall be given such time as the law may prescribe; he shall, furthermore, be assisted in securing the presence of any person or persons whose testimony he may desire, provided they are to be found at the place of trial.

VI. He shall be entitled to a public trial by a judge or jury of citizens who can read and write and are also citizens of the place and district where the offense shall have been committed, provided the penalty for such offense be greater than one year's imprisonment. The accused shall always be entitled to trial by jury for all offenses committed by means of the press against the public peace or against the safety, domestic or foreign, of the Republic.

VII. He shall be furnished with all information of record needed for his defense.

VIII. He shall be tried within four months if charged with an offense the maximum penalty for which does not exceed two years' imprisonment, and within one year if the maximum penalty be greater.

IX. He shall be heard in his own defense, either personally or by counsel, or by both, as he may desire. In case he shall have no one to defend him, a list of official counsel shall be submitted to him in order that he may choose one or more to act in his defense. If the accused shall not desire to name any counsel for his defense, after having been called upon to do so at the time of his preliminary examination.

the court shall appoint counsel to defend him. The accused may name his counsel immediately on arrest and shall be entitled to have him present at every stage of the trial, but he will be bound to make him appear as often as required by the court.

X. In no event may imprisonment or detention be extended through failure to pay counsel fees or through any other pecuniary charge, by virtue of any civil liability or other similar cause. Nor shall detention be extended beyond the time set by law as the maximum for the offense charged.

The period of detention shall be reckoned as a part of the final sentence.

ART. 21. The imposition of all penalties is an exclusive attribute of the judiciary. The prosecution of offenses belongs to the public prosecutor and to the judicial police, who shall be under the immediate command and authority of the public prosecutor. The punishment of violations of municipal and police regulations belongs to the administrative authorities, and shall consist only of a fine or of imprisonment not exceeding 36 hours. Should the offender fail to pay the fine this shall be substituted by the corresponding period of arrest, which shall in no case exceed 15 days.

Should the offender be a workman or unskilled laborer, he shall not be punished with a fine greater than the amount of his week's wages or salary.

ART. 22. Punishments by mutilation and infamy, by branding, flogging, beating with sticks, torture of any kind, excessive fines, confiscation of property, and any other unusual and excessive penalties, are prohibited.

Attachment proceedings of the whole or part of the property of any person made under judicial authority to cover any civil liability arising out of the commission of any offense, or by reason of the imposition of any tax or fine, shall not be deemed a confiscation of property.

Capital punishment is likewise forbidden for all political offenses; in the case of offenses other than political it shall only be imposed for high treason committed during a foreign war, parricide, murder, with malice aforethought, arson, abduction, highway robbery, piracy, and grave military offenses.

ART. 23. No criminal case shall have more than three instances. No one, whether acquitted or condemned, shall be tried twice for the same offense. Verdicts of "not proven" are abolished.

ART. 24. Every man is free to embrace the religion of his choice and to practice such ceremony, devotions, or observances of the respective creed, either in places of public worship or at home, provided they do not constitute an offense punishable by law.

Every religious act of public worship shall be performed strictly within the places of public worship, which shall be at all times under governmental supervision.

ART. 25. Correspondence sent through the mails is inviolable and shall be free from search. The violation of this provision shall be punishable by law.

ART. 26. No member of the army shall in time of peace be quartered in private dwellings without the consent of the owner; nor shall any other exaction be demanded. In time of war the military may demand lodging, equipment, provisions, and other assistance, in the manner provided by the corresponding martial law.

ART. 27. The ownership of lands and waters within the limits of the national territory is vested originally in the nation, which has had and has the right to transmit title thereof to private persons, thereby constituting private property.

Private property shall not be expropriated except for cause of public utility¹ and by means of indemnification.

The nation shall have at all times the right to impose on private property such limitations as the public interest may demand as well as the right to regulate the development of natural resources, which are susceptible of appropriation, in order to conserve them and equitably to distribute the public wealth. For this purpose necessary measures shall be taken to divide large landed estates; to develop small landed holdings; to establish new centers of rural population with such lands and waters as may be indispensable to them; to encourage agriculture and to prevent the destruction of natural resources and to protect property from damage detrimental to society. Settlements, hamlets situated on private property, and communes which lack lands or water or do not possess them in sufficient quantities for their needs shall have the right to be provided with them from the adjoining properties, always having due regard for small landed holdings. Wherefore, all grants of lands made up to the present time under the decree of January 6, 1915, are confirmed. Private property acquired for the said purposes shall be considered as taken for public use. In the nation is vested direct ownership of all minerals or substances which in veins,

¹ While the term "public utility" may be somewhat misleading, it is felt that that of "public use" may be even more so. The same expression ("por causa de utilidad publica") is to be found in the 1857 constitution, and has always been interpreted by the courts of Mexico in the sense of public interest, as in the case of land expropriated for the surface work of a mine, etc.

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masses, or beds constitute deposits whose nature is different from the components of the land, such as minerals from which metals and metaloids used for industrial purposes are extracted; beds of precious stones, rock salt, and salt lakes formed directly by marine waters, products derived from the decomposition of rocks, when their exploitation requires underground work; phosphates which may be used for fertilizers; solid mineral fuels; petroleum and all hydrocarbons—solid, liquid, or gaseous.

In the nation is likewise vested the ownership of the waters of territorial seas to the extent and in the terms fixed by the law of nations; those of lakes and inlets of bays; those of interior lakes of natural formation which are directly connected with flowing waters; those of principal rivers or tributaries from the points at which their courses become permanently identifiable to their mouths, whether they flow to the sea or cross two or more States; those of intermittent streams which traverse two or more States in their main body; the waters of rivers, streams, or ravines, when they bound the national territory or that of the States; waters extracted from mines; and the beds and banks of the lakes and streams hereinbefore mentioned, to the extent fixed by law. Any other stream of water not comprised within the foregoing enumeration shall be considered as an integral part of the private property through which it flows; but the development of the waters when they pass from one landed property to another shall be considered of public utility and shall be subject to the provisions prescribed by the States.

In the cases to which the two foregoing paragraphs refer, the ownership of the nation is inalienable and may not be lost by prescription; concessions shall be granted by the Federal Government to provide parties or civil or commercial corporations organized under the laws of Mexico, only on condition that said resources be regularly developed, and on the further condition that the legal provisions be observed.

Legal capacity to acquire ownership of lands and waters of the nation shall be governed by the following provisions:

I. Only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, and their appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the department of foreign affairs to be considered Mexicans in respect to such property, and accordingly not to invoke the protection of their Governments in respect to the same, under penalty, in case of breach, of forfeiture to the nation of property so acquired. Within a zone of 100 kilometers from the frontiers, and of 50 kilometers from the seacoast no foreigner shall under any conditions acquire direct ownership of lands and waters.

II. The religious associations known as churches, irrespective of creed, shall in no case have legal capacity to acquire, hold, or administer real property or loans made on such real property; all such real property or loans as may be at present held by the said religious associations either on their own behalf or through third parties shall vest in the nation, and anyone shall have the right to denounce property so held. Presumptive proof shall be sufficient to declare the denunciation well founded. Places of public worship are the property of the nation, as represented by the Federal Government, which shall determine which of them may continue to be devoted to their present purposes. Episcopal residences, rectories, seminaries, orphan asylums or collegiate establishments of religious associations, convents or any other buildings built or designed for the administration, propaganda, or teaching the tenets of any religious sect shall forthwith vest, as of full right, directly in the nation, to be used exclusively for the public services of the Federation or of the States, within their respective jurisdictions. All places of public worship which shall later be erected shall be the property of the nation.

III. Public and private charitable institutions for the sick and needy, for scientific research, or for the diffusion of knowledge, mutual aid societies, or organizations formed for any other purpose shall in no case acquire, hold, and administer loans made on real property, unless the mortgage terms do not exceed 10 years. In no case shall institutions of this character be under the patronage, direction, administration, charge, or supervision of religious corporations or institutions, nor of ministers of any religious sect or of their dependents, even though either the former or the latter shall not be in service.

IV. Commercial stock companies may not acquire, hold, or administer rural properties. Companies of this nature which may be organized to develop any manufacturing, mining, petroleum, or other industry, excepting only agricultural industries, may acquire, hold, or administer lands only in an area absolutely necessary for their establishments or adequate to serve the purposes indicated, which the executive of the union or of the State in each case shall determine.

V. The banks duly organized under the laws governing institutions of credit may make mortgage loans on rural and urban property in accordance with the provisions

of the said laws, but they may not own or administer more real property than that absolutely necessary for their direct purposes; and they may furthermore hold temporarily for the brief term fixed by law such real property as may be judicially adjudicated to them in execution proceedings.

VI. Properties held in common by coowners, hamlets situated on private property, pueblos, tribal congregations and other settlements which, as a matter of fact or law, conserve their communal character, shall have legal capacity to enjoy in common the waters, woods and lands belonging to them, or which may have been or shall be restored to them according to the law of January 6, 1915, until such time as the manner of making the division exclusively of the lands shall be determined by law.

VII. Excepting the corporations to which Clauses III, IV, V and VI hereof refer no other civil corporation may hold or administer on its own behalf real estate or mortgage loans derived therefrom, with the single exception of buildings designed directly and immediately for the purposes of the institution. The States, the Federal district and the Territories as well as the municipalities throughout the Republic shall enjoy full legal capacity to acquire and hold all real estate necessary for public services.

The Federal and State laws shall determine within their respective jurisdictions those cases in which the occupation of private property is to be considered of public utility; and in accordance with the said laws the administrative authorities shall make the corresponding declaration. The amount fixed as compensation for the expropriated property shall be based on the sum at which the said property shall be valued for fiscal purposes in the catastral or revenue offices, whether this value be that manifested by the owner or merely impliedly accepted by reason of the payment of his taxes on such a basis, to which basis there shall be added 10 per cent. The increased value which the property in question may have acquired through improvements made subsequent to the date of the fixing of the fiscal value shall be the only matter subject to expert opinion and to judicial determination. The same procedure shall be observed in respect to objects whose value is not recorded in the revenue offices.

All proceedings, dispositions, decisions and all operations of demarcation, concession, composition, judgment, compromise, alienation, or auction which may have deprived properties held in common by coowners, hamlets situated on private property, settlements, congregations, tribes and other settlement organizations still existing since the law of June 25, 1856, of the whole or a part of their lands, woods and waters, are declared null and void; all dispositions, resolutions and operations which may subsequently take place and produce the same effects shall likewise be null and void. Consequently all lands, forests and waters of which the above-mentioned settlements may have been deprived shall be restored to them according to the decree of January 6, 1915, which shall remain in force as a constitutional law. In case the adjudication of lands, by way of restitution be not legal in the terms of the said decree which adjudication should have been requested by any of the above entities, those lands shall nevertheless be given to them by way of grant, and they shall in no event fail to receive such as they may need. Only such lands, title to which may have been acquired in the divisions made by virtue of the said law of June 25, 1856, or such as may be held in undisputed ownership for more than ten years are excepted from the provision of nullity, provided their area does not exceed fifty hectares. Any excess over this area shall be returned to the commune and the owner shall be indemnified. All laws of restitution enacted by virtue of this provision shall be immediately carried into effect by the administrative authorities. Only members of the commune shall have the right to the lands destined to be divided and the rights to these lands shall be inalienable so long as they remain undivided; the same provision shall govern the right of ownership after the division has been made. The exercise of the rights pertaining to the nation by virtue of this article shall be made by judicial process; but as a part of this process and by order of the proper tribunals, which order shall be issued within the maximum period of one month, the administrative authorities shall proceed without delay to the occupation, administration, auction, or sale of the lands and waters in question, together with all their appurtenances, and in no case may the acts of the said authorities be set aside until final sentence is handed down.

During the next constitutional term the Congress and the State legislatures shall enact laws within their respective jurisdictions for the purpose of carrying out the division of large landed estates subject to the following conditions:

(a) In each State and Territory there shall be fixed the maximum area of land which any one individual or legally organized corporation may own.

(b) The excess of the area fixed shall be subdivided by the owner within the period set by the laws of the respective locality; and these subdivisions shall be offered for sale on such conditions as the respective governments shall approve, in accordance with the said laws.

(c) If the owner shall refuse to make the subdivision, this shall be carried out by the local government by means of expropriation proceedings.

(d) The value of the subdivisions shall be paid in annual amounts sufficient to amortize the principal and interest within a period of not less than 20 years, during which the person acquiring them may not alienate them. The rate of interest shall not exceed 5 per cent per annum.

(e) The owner shall be bound to receive special bonds to guarantee the payment of the property expropriated. With this end in view the Congress shall issue a law authorizing the States to issue bonds to meet their agrarian obligations.

(f) The local laws will govern the extent of family estate, determining what property will constitute the same on the basis of its inalienability; it shall not be subject to attachment nor to any charge.

All contracts and concessions made by former governments from and after the year 1876 which shall have resulted in the monopoly of lands, waters, and natural resources of the nation by a single individual or corporation, are declared subject to revision, and the executive is authorized to declare those null and void which seriously prejudice the public interest.

ART. 28. There shall be no private nor governmental monopolies of any kind whatsoever in the United States of Mexico; nor exemption from taxation; nor any prohibition even under cover of protection to industry, excepting only those relating to the coinage of money, to the postal, telegraphic, and radiotelegraphic services, to the issuance of bills by a single banking institution to be controlled by the Federal Government, and to the privileges which for a limited period the law may concede to authors and artists for the reproduction of their work; and lastly to those granted inventors or improvers of inventions for the exclusive use of their inventions.

The law will accordingly severely punish and the authorities diligently prosecute any accumulating or cornering by one or more persons of necessities for the purpose of bringing about a rise in price; any act or measure which shall stifle or endeavor to stifle free competition in any production, industry, trade, or public service; any agreement or combination of any kind entered into by producers, manufacturers, merchants, common carriers, or other public or quasi-public service, to stifle competition and to compel the consumer to pay exorbitant prices; and in general whatever constitutes an unfair and exclusive advantage in favor of one or more specified person or persons to the detriment of the public in general or of any special class of society.

Associations of labor organized to protect their own interests shall not be deemed a monopoly. Nor shall cooperative associations or unions of producers be deemed monopolies when, in defense of their own interests or of the general public, they sell directly in foreign markets national or industrial products which are the principal source of wealth of the region in which they are produced, provided they be not necessities, and provided further that such association be under the supervision or protection of the Federal Government or of that of the States, and provided further that authorization be in each case obtained from the respective legislative bodies. These legislative bodies may, either on their own initiative or on the recommendation of the executive, revoke, whenever the public interest shall so demand, the authorization granted for the establishment of the associations in question.

ART. 29. In cases of invasion, grave disturbance of the public peace, or any other emergency which may place society in grave danger or conflict, the President of the Republic of Mexico, and no one else, with the concurrence of the Council of Ministry, and with the approval of the Congress, or if the latter shall be in recess, of the permanent committee, shall have power to suspend throughout the whole Republic or in any portion thereof, such rights as shall be a hindrance in meeting the situation promptly and readily, but such suspension shall in no case be confined to a particular individual, but shall be made by means of a general decree and only for a limited period. If the suspension should occur while the Congress is in session, this body shall grant such powers as in its judgment the executive may need to meet the situation if the suspension occur while the Congress is in recess, the Congress shall be convoked forthwith for the granting of such powers.

CHAPTER II.—OF MEXICANS.

ART. 30. A Mexican shall be such either by birth or by naturalization.

I. Mexicans by birth are those born of Mexican parents, within or without the Republic, provided in the latter case the parents be also Mexicans by birth. Those born within the Republic of foreign parentage shall likewise be considered Mexicans by birth, who within one year after they come of age shall declare to the department of foreign affairs that they elect Mexican citizenship, and who shall furthermore prove to the said department that they have resided within the country during the last six years immediately prior to the said declaration.

II. Mexicans by naturalization are:

(a) The children of foreign parentage born in the country, who shall elect Mexican citizenship in the manner prescribed in the foregoing clause, and in whom the residence qualification required in the said section does not concur.

(b) Those persons who shall have resided in the country for five consecutive years, have an honest means of livelihood and shall have obtained their naturalization from the said department of foreign affairs.

(c) Those of mixed Indian and Latin descent who may have established residence in the Republic, who shall have manifested their intention to acquire Mexican citizenship.

In the cases stipulated in these sections, the law shall determine the manner of proving the requisites therein demanded.

ART. 31. It shall be the duty of every Mexican:

I. To compel the attendance at either private or public schools of their children or wards, when under 15 years of age, in order that they may receive primary instruction and military training for such periods as the law of public instruction in each State shall determine.

II. To attend on such days and at such hours as the town council shall in each case prescribe, to receive such civic instruction and military training as shall fit them to exercise their civic rights, shall make them skillful in the handling of arms and familiar with military discipline.

III. To enlist and serve in the national guard, pursuant to the respective organic law for the purpose of preserving and defending the independence, territory, honor, rights, and interests of the fatherland, as well as domestic peace and order.

IV. To contribute in the proportional and equitable manner provided by law toward the public expenses of the federation, the State and the municipality in which he resides.

ART. 32. Mexicans shall be preferred under equal circumstances to foreigners for all kinds of concessions and for all public employments, offices, or commissions, when citizenship is not indispensable. No foreigner shall serve in the army nor in the police corps nor in any other department of public safety during times of peace.

Only Mexicans by birth may belong to the national navy, or fill any office or commission therein. The same requisite shall be required for captains, pilots, masters, and chief engineers of Mexican merchant ships, as well as for two-thirds of the members of the crew.

CHAPTER III.—OF FOREIGNERS.

ART. 33. Foreigners are those who do not possess the qualifications prescribed by article 30. They shall be entitled to the rights granted by Chapter I, Title I, of the present constitution; but the executive shall have the exclusive right to expel from the Republic forthwith and without judicial process, any foreigner whose presence he may deem inexpedient.

No foreigner shall meddle in any way whatsoever in the political affairs of the country.

CHAPTER IV.—OF MEXICAN CITIZENS.

ART. 34. Mexican citizenship shall be enjoyed only by those Mexicans who have the following qualifications:

I. Are over 21 years of age, if unmarried, and over 18, if married.

II. Have an honest means of livelihood.

ART. 35. The prerogatives of citizens are:

I. To vote at popular elections.

II. To be eligible for any elective office and be qualified for any other office or commission provided they have the other qualifications required by law.

III. To assemble to discuss the political affairs of the country.

IV. To serve in the army or national guard for the defense of the Republic and its institutions as by law determined.

V. To exercise the right of petition in any matter whatever.

ART. 36. It shall be the duty of every Mexican citizen:

I. To register in the polls of the municipality, setting forth any property he may own and his professional or industrial pursuit, or occupation; and also to register in the electoral registration lists, as by law determined.

II. To enlist in the national guard.

III. To vote at popular elections in the electoral district to which he belongs.

IV. To fill the elective Federal or State offices to which he may be chosen which shall in no case be gratuitous.

V. To serve on the town council of the municipality wherein he resides and to perform all electoral and jury service.

ART. 37. Citizenship shall be lost:

I. By naturalization in a foreign country.

II. By officially serving the government of another country, or accepting its decorations, titles, or employment without previous permission of the Federal Congress, excepting literary, scientific, and humanitarian titles, which may be accepted freely.

III. By compromising themselves in any way before ministers of any religious creed or before any other person not to observe the present constitution, or the laws arising thereunder.

ART. 38. The rights or prerogatives of citizenship shall be suspended for the following reasons:

I. Through failure to comply without sufficient cause with any of the obligations imposed by Article 36. This suspension shall last for one year and shall be in addition to any other penalties prescribed by law for the same offense.

II. Through being subjected to criminal prosecution for an offense punishable with imprisonment, such suspension to be reckoned from the date of the formal order of commitment.

III. Throughout the term of imprisonment.

IV. Through vagrancy or habitual drunkenness, declared in the manner provided by law.

V. Through being a fugitive from justice, the suspension to be reckoned from the date of the order of arrest until the prescription of the criminal action.

VI. Through any final sentence which shall decree as a penalty such suspension.

The law shall determine the cases in which civic rights may be lost or suspended and the manner in which they may be regained.

TITLE II, CHAPTER I.—OF THE NATIONAL SOVEREIGNTY AND FORM OF GOVERNMENT.

ART. 39. The national sovereignty is vested essentially and originally in the people. All public power emanates from the people and is instituted for their benefit. The people have at all times the inalienable right to alter or modify their form of government.

ART. 40. It is the will of the Mexican people to constitute themselves into a democratic, federal, representative republic, consisting of States free and sovereign in all that concerns their internal affairs, but united in a federation according to the principles of this fundamental law.

ART. 41. The people exercise their sovereignty through the federal powers in the matters belonging to the Union, and through those of the States in the matters relating to the internal administration of the latter. This power shall be exercised in the manner respectively established by the constitutions, both Federal and State. The constitutions of the States shall in no case contravene the stipulations of the Federal constitution.

CHAPTER II.—OF THE INTEGRAL PARTS OF THE FEDERATION AND THE NATIONAL TERRITORY.

ART. 42. The National Territory comprises the integral parts of the Federation and the adjacent islands in both oceans. It likewise comprises the Island of Guadalupe, those of Revillagigedo, and that of "La Pasión," situated in the Pacific Ocean.

ART. 43. The integral parts of the Federation are: The States of Aguascalientes, Campeche, Coahuila, Colima, Chiapas, Chihuahua, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, Mexico, Michoacan, Morelos, Nayarit, Nuevo Leon, Oaxaca, Puebla, Queretaro, San Luis Potosi, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Veracruz, Yucatan, Zacatecas, the Federal District, the Territory of Lower California, and the Territory of Quintana Roo.

ART. 44. The Federal District shall embrace its present territory; in the event of the removal of the Federal powers to some other place it shall be created into the State of the Valley of Mexico, with such boundaries and area as the Federal Congress shall assign to it.

ART. 45. The States and Territories of the Federation shall conserve their present boundaries and areas, provided no boundary question shall exist between them.

ART. 46. The States having pending boundary questions shall settle them as provided by this constitution.

ART. 47. The State of Nayarit shall have the territorial area and boundaries at present comprising the territory of Tepic.

ART. 48. The islands in both oceans embraced within the national territory shall depend directly on the Federal Government, excepting those over which the States have up to the present time exercised jurisdiction

TITLE III, CHAPTER I.—OF THE DIVISION OF POWERS.

ART. 49. The supreme power of the federation is divided for its exercise into legislative, executive, and judicial.

Two or more of these powers shall never be united in one person or corporation, nor shall the executive power be vested in one individual except in the case of extraordinary powers granted to the executive, in accordance with the provisions of article 29.

CHAPTER II.—OF THE LEGISLATIVE POWER.

ART. 50. The legislative power of the United States of Mexico is vested in a general Congress, which shall consist of a House of Representatives and a Senate.

SECTION I.—OF THE ELECTION AND INSTALLATION OF THE CONGRESS.

ART. 51. The House of Representatives shall consist of representatives of the nation, all of whom shall be elected every two years by the citizens of Mexico.

ART. 52. One representative shall be chosen for each 60,000 inhabitants or for any fraction thereof exceeding 20,000, on the basis of the general census of the Federal district and of each State and Territory. Any State or Territory in which the population shall be less than that fixed by this article shall, nevertheless, elect one representative.

ART. 53. There shall be elected an alternate for each representative.

ART. 54. The election of representatives shall be direct, in accordance with the provisions of the electoral law.

ART. 55. Representatives shall have the following qualifications:

I. They shall be Mexican citizens by birth and in the enjoyment of their rights.

II. They shall be over 25 years of age on the day of election.

III. They shall be natives of the States or Territories respectively electing them, or domiciled and actually resident therein for six months immediately prior to the election. The domicile shall not be lost through absence in the discharge of any elective office.

IV. They shall not be in active service in the Federal army, not have any command in the police corps or rural constabulary in the districts where the elections respectively take place, for at least 90 days immediately prior to the election.

V. They shall not hold the office of secretary nor assistant secretary of any executive department or of justice of the supreme court, unless they shall have resigned therefrom 90 days immediately prior to the election.

No State governor, secretary of state of the several States, or State judge shall be eligible in the districts within their several jurisdictions, unless they shall have resigned from their respective offices 90 days immediately prior to the day of election.

VI. They shall not be ministers of any religious creed.

ART. 56. The Senate shall consist of two senators from each State and two from the Federal district, chosen in direct election.

Each State legislature shall certify to the election of the candidate who shall have obtained a majority of the total number of votes cast.

ART. 57. There shall be elected an alternate for each Senator.

ART. 58. Each Senator shall serve four years. The Senate shall be renewed by half every two years.

ART. 59. The qualifications necessary to be a Senator shall be the same as those necessary to be a Representative, excepting that of age, which shall be over 35 on the day of election.

ART. 60. Each House shall be the judge of the election of its members and shall decide all questions arising therefrom.

Its decisions shall be final.

ART. 61. Representatives and Senators are inviolable for opinions expressed by them in the discharge of their duties, and shall never be called to account for them.

ART. 62. Representatives and Senators shall be disqualified during the term for which they have been elected from holding any Federal or State commission or office for which any emolument is received without previous permission of the respective house; in the event of their accepting such commission or office they shall forthwith lose their representative character for such time as they shall hold such appointive office. The same provision shall apply to alternate Representatives and Senators, when in active service. The violation of this provision shall be punished by forfeiture of the office of Representative or Senator.

ART. 63. The houses shall not open their sessions nor exercise their functions without a quorum, in the Senate, of two-thirds, and in the House of Representatives of a majority of the total membership; but the members present of either house shall meet on the day appointed by law and compel the attendance of the absentees within the next 30 days, and they shall warn them that failure to comply with this provision shall be taken to be a refusal of office, and the corresponding alternates shall be summoned forthwith; the latter shall have a similar period within which to present themselves, and on their failure to do so the seats shall be declared vacant and new elections called.

Representatives or Senators who shall be absent during 10 consecutive days without proper cause or without leave of the president of the respective house, notice of which shall be duly communicated to the house, shall be understood as waiving their right to attend until the next session, and their alternates shall be summoned without delay.

If there shall be no quorum to organize either of the houses or to continue their labors once organized, the alternates shall be ordered to present themselves as soon as possible for the purpose of taking office until the expiration of the 30 days hereinbefore mentioned.

ART. 64. No Representative or Senator who shall fail to attend any daily session without proper cause or without previous permission of the respective house, shall be entitled to the compensation corresponding to the day on which he shall have been absent.

ART. 65. The Congress shall meet on the 1st day of September of each year in regular session for the consideration of the following matters:

I. To audit the accounts of the previous year, which shall be submitted to the House of Representatives not later than 10 days after the opening of the session. The audit shall not be confined to determining whether the expenditures do or do not conform with the respective items in the budget, but shall comprise an examination of the exactness of and authorization for payments made thereunder and of any liability arising from such payments.

No other secret items shall be permitted than those which the budget may consider as such; these amounts shall be paid out by the secretaries of executive departments under written orders of the President.

II. To examine, discuss, and approve the budget for the next fiscal year and to lay such taxes as may be needed to meet the expenditures.

III. To study, discuss, and vote on all bills presented and to discuss all other matters incumbent upon the Congress by virtue of this constitution.

ART. 66. The regular session of the Congress shall last the period necessary to deal with all of the matters mentioned in the foregoing article, but it may not be extended beyond the 31st day of December of the same year. Should both houses fail to agree as to adjournment prior to the above date, the matter shall be decided by the executive.

ART. 67. The Congress shall meet in extraordinary session whenever so summoned by the President, but in such event it shall consider only the matter or matters submitted to it by the President, who shall enumerate it or them in the respective call. The President shall have power to convene in extraordinary session only one of the houses when the matter to be referred to it pertains to its exclusive jurisdiction.

ART. 68. Both houses shall hold their meetings in the same place and shall not move to another without having first agreed upon the moving and the time and manner of accomplishing it, as well as upon the place of meeting, which shall be the same for both houses. If both houses agree to change their meeting place but disagree as to the time, manner, and place, the President shall settle the question by choosing one of the two proposals. Neither House may suspend its sessions for more than three days without the consent of the other.

ART. 69. The president of the Republic shall attend at the opening of the sessions of the Congress, whether regular or extraordinary, and shall submit a report in writing; this report shall in the former case relate to the general state of the Union; and in the latter it shall explain to the Congress or to the House addressed the reasons or causes which rendered the call necessary and the matters requiring immediate attention.

ART. 70. Every measure of the Congress shall be in the form of a law or decree. The laws or decrees shall be communicated to the executive after having been signed by the presidents of both houses and by one of the secretaries of each. When promulgated, the enacting clause shall read as follows:

"The Congress of the United States of Mexico decrees (text of the law or decree)."

SECTION II.—OF THE ORIGIN AND FORMATION OF THE LAWS.

ART. 71. The right to originate legislation pertains:

- I. To the President of the Republic;
- II. To the representatives and senators of the Congress;
- III. To the State legislatures.

Bills submitted by the President of the Republic, by State legislatures, or by delegations of the States shall be at once referred to committee. Those introduced by representatives or senators shall be subject to the rules of procedure.

ART. 72. All bills, action on which shall not pertain exclusively to one of the houses, shall be discussed first by one and then by the other, according to the rules of procedure as to the form, time of presentation, and other details relative to discussions and votes.

(a) After a bill has been approved in the House where it originated it shall be sent to the other House for consideration. If passed by the latter, it shall be transmitted to the President who, if he has no objection thereto, shall immediately promulgate it.

(b) All bills not returned by the Executive within 10 working days with his observations to the House in which they originated, shall be considered approved unless during the said 10 days the Congress shall have adjourned or suspended its sessions, in which event they shall be returned on the first working day after the Congress shall have reconvened.

(c) Bills rejected in whole or in part by the Executive shall be returned with his observations to the House where they originated. They shall be discussed anew by this House and if confirmed by a two-thirds majority vote of the total membership shall be sent to the other House for reconsideration. If approved by it, also by the same majority vote, the bill shall become law and shall be returned to the Executive for promulgation.

The voting in both Houses shall be by yeas and nays.

(d) Bills totally rejected by the House not originating them shall be returned with the proper observations to the House of origin. If examined anew and approved by a majority of the members present, they shall be returned to the House rejecting them, which shall once again take them under consideration, and if approved by it, likewise by the same majority vote they shall be sent to the Executive for the purposes of clause A; but if the said House fail to approve them, they shall not be reintroduced in the same session.

(e) Bills rejected in part or modified or amended by the House of revision shall be discussed anew in the House of origin, but the discussion shall be confined to the portion rejected or to the amendments or additions, without the approved articles being altered in any respect. If the additions or amendments made by the House of revision be approved by a majority vote of the members present in the House of origin, the bill shall be transmitted to the Executive for the purposes of clause A; but if the amendments or additions by the House of revision be rejected by a majority vote of the House of origin they shall be returned to the former House in order that the reasons set forth by the latter may be taken into consideration. If in this second revision the said additions or amendments be rejected by a majority vote of the members present, the portion of the bill which has been approved by both Houses shall be sent to the Executive for the purposes of clause A. If the House of revision insist by a majority vote of the members present upon the additions or amendments, no action shall be taken on the whole bill until the next session, unless both Houses agree by a majority vote of the members present to the promulgation of the law without the articles objected to, which shall be left till the next session, when they shall be then discussed and voted upon.

(f) The same formalities as are required for the enactment of laws shall be observed for their interpretation, amendment, or repeal.

(g) No bill rejected in the House of origin before passing to the other House shall be reintroduced during the session of that year.

(h) Legislative measures may be originated in either House, excepting bills dealing with loans, taxes, or imposts, or with the raising of troops, which must have their origin in the House of Representatives.

(i) Whenever a bill shall be presented to one House it shall be first discussed there unless one month shall have elapsed since it was referred to committee and not reported, in which event an identical bill may be presented and discussed in the other House.

(j) The President shall not make any observations touching the decisions of the Congress or of either House when acting as an electoral body or as a grand jury, nor when the House of Representatives shall declare that there are grounds to impeach any high Federal authority for official offenses.

Nor shall he make any observations touching the order for a call issued by the permanent committee as provided in article 84.

SECTION III.—OF THE POWERS OF CONGRESS.

ART. 73. The Congress shall have power:

- I. To admit new States or Territories into the Federal Union.
- II. To grant statehood to Territories having a population of 80,000 inhabitants and the elements necessary to provide for their political existence.
- III. To form new States within the boundaries of existing ones provided the following requisites are complied with:
 1. That the section or sections aspiring to statehood have a population of 120,000 inhabitants at least.
 2. That proof be given to the Congress that it has sufficient means to provide for its political existence.
 3. That the legislatures of the States affected be heard as to the advisability or inadvisability of granting such statehood, which opinion shall be given within six months after the date of the communication addressed to them on the subject.
 4. That the opinion of the Executive of the Federal Government be also heard on the subject: said opinion to be given within seven days after the date on which it was requested.
 5. That the creation of the new State be voted upon favorably by two-thirds of the Representatives and Senators present in their respective Houses.
6. That the resolution of the Congress be ratified by a majority of the State legislatures, upon examination of the copy of the record of the case, provided that the legislatures of the States to which the section belongs shall have given their consent.
7. If the legislatures of the States to which the section belongs have not given their consent, the ratification referred to in the foregoing clause shall be made by two-thirds of the legislatures of the other States.
- IV. To settle finally the limits of the States, terminating the differences which may arise between them relative to the demarcation of their respective territories, except when the differences be of a litigious nature.
- V. To change the residence of the supreme powers of the federation.
- VI. To legislate in all matters relating to the Federal District and the Territories, hereinafter provided:
 1. The Federal District and the Territories shall be divided into municipalities, each of which shall have the area and population sufficient for its own support and for its contribution toward the common expenses.
 2. Each municipality shall be governed by a town council elected by direct vote of the people.
 3. The Federal District and each of the Territories shall be administered by governors under the direct orders of the President of the Republic. The governor of the Federal District shall dispatch with the President, and the governor of each Territory shall dispatch with the President through the duly constituted channels. The governor of the Federal District and the governor of each Territory shall be appointed by the President and may be removed by him at will.
 4. The superior judges and those of first instance of the Federal District and those of the Territories shall be named by the Congress, acting in each case as an electoral college. In the temporary or permanent absences of the said superior judges these shall be replaced by appointment of the Congress, and in recess by temporary appointments of the permanent committee. The organic law shall determine the manner of filling temporary vacancies in the case of judges and shall designate the authority before whom they shall be called to account for any dereliction, excepting the provisions of this constitution with regard to the responsibility of officials. From and after the year 1923 the superior judges and those of first instance to which this clause refers may only be removed from office for bad conduct and after impeachment, unless they shall have been promoted to the next higher grade. From and after the said date the compensation enjoyed by said officials shall not be diminished during their term of office.
 5. The office of the public attorney (ministerio publico) of the Federal District and of the Territories shall be in charge of an attorney general, who shall reside in the City of Mexico and of such public attorney or attorneys as the law may determine; the said attorney general shall be under the direct orders of the President of the Republic, who shall appoint and may remove him at will.
- VII. To lay the taxes necessary to meet the expenditures of the budget.
- VIII. To establish the conditions upon which the executive may make loans on the credit of the nation; to approve the said loans and to recognize and order the payment of the public debt.
- IX. To enact tariff laws on foreign commerce and to prevent restrictions from being imposed on interstate commerce.

X. To legislate for the entire Republic in all matters relating to mining, commerce, and credit institutions, and to establish the sole bank of issue as provided in article 28 of this constitution.

XI. To create and abolish federal offices and to fix, increase, or decrease the compensation assigned thereto.

XII. To declare war upon examination of the facts submitted by the executive.

XIII. To regulate the manner in which letters of marque may be issued; to enact laws according to which prizes on land and sea shall be adjudged valid or invalid, and to frame the admiralty law for times of peace and war.

XIV. To raise and maintain the army and navy of the union and to regulate their organization and service.

XV. To make rules for the organization and discipline of the national guard, reserving for the citizens who compose it the right of appointing their respective commanders and officers, and to the States the power of instructing it in conformity with the discipline prescribed by the said regulations.

XVI. To enact laws on citizenship, naturalization, colonization, emigration, immigration, and public health of the Republic.

1. The public health service shall depend directly upon the president of the Republic without the intervention of any executive department, and its general provisions shall be binding throughout the Republic.

2. In the event of epidemics of a grave or dangerous nature, of the invasion of diseases from abroad, the public health service shall be called upon to put into force without delay the necessary preventive measures, subject to their subsequent sanction by the president of the Republic.

3. The sanitary authorities shall have executive faculties and their determinations shall be obeyed by the administrative authorities of the country.

4. All measures which the public health service shall have put into effect in its campaign against alcoholism and the sale of substances injurious to man and to the race shall be subsequently revised by the Congress in such cases as fall within the jurisdiction of the latter.

XVII. To enact laws on general means of communication, post-roads and post-offices and to enact laws as to the use and development of the waters subject to the Federal jurisdiction.

XVIII. To establish mints, regulate the value and kinds of the national currency, fix the value of foreign moneys and adopt a general system of weights and measures.

XIX. To make rules for the occupation and sale of public lands and the prices therefor.

XX. To enact laws as to the organization of the diplomatic and consular services.

XXI. To define the crimes and offenses against the Nation and to fix the penalties therefor.

XXII. To grant amnesty for offenses subject to the jurisdiction of the federal courts.

XXIII. To make rules for its internal government and to enact the necessary provisions to compel the attendance of absent representatives and senators and to punish the acts of commission or omission of those present.

XXIV. To issue the organic law of the auditor general's office.

XXV. To sit as an electoral college and to name the justices of the supreme court, and the superior and inferior judges of the Federal District and territories.

XXVI. To accept the resignations of the justices of the supreme court and of the superior and inferior judges of the Federal District and territories, and to name substitutes in their absence and to appoint their successors.

XXVII. To establish professional schools of scientific research and fine arts, vocational, agricultural, and trade schools, museums, libraries, observatories, and other institutes of higher learning, until such time as these establishments can be supported by private funds. These powers shall not pertain exclusively to the Federal Government.

All degrees conferred by any of the above institutions shall be valid throughout the Republic.

XXVIII. To sit as an electoral college and to choose the person to assume the office of president of the Republic, either as a substitute president or as a president ad interim in the terms established by articles 84 and 85 of this constitution.

XXIX. To accept the resignation of the President of the Republic.

XXX. To audit the accounts which shall be submitted annually by the executive; this audit shall comprise not only the checking of the items disbursed under the budget but the exactness of and authorization for the expenditures in each case.

XXXI. To make all laws necessary for carrying into execution the foregoing powers and all other powers vested by this constitution in the several branches of the government.

ART. 74. The House of Representatives shall have the following exclusive powers:

I. To sit as an electoral college to exercise the powers conferred by law as to the election of the President.

II. To watch by means of a special committee appointed from among its own members over the faithful performance by the auditor general of the nation in the discharge of his duties.

III. To appoint all the higher officers and other employees of the auditor general's office.

IV. To approve the annual budget, after a discussion as to what taxes must in its judgment be laid to meet the necessary expenditures.

V. To take cognizance of all charges brought against public officials, as herein provided, for official offenses, and, should the circumstances so warrant, to impeach them before the Senate: and further to act as a grand jury to decide whether there is or is not good ground for proceeding against any official enjoying constitutional privileges, whenever accused of offenses of the common order.

VI. To exercise such other powers as may be expressly vested in it by this constitution.

ART. 75. The House of Representatives, in passing the budget, shall assign a definite compensation to every office created by law, and if for any reason such compensation shall not be assigned, the amount fixed in the preceding budget or in the law creating the office shall be presumed to be assigned.

ART. 76. The Senate shall have the following exclusive powers:

I. To approve the treaties and diplomatic conventions concluded by the Executive with foreign powers.

II. To ratify the nominations made by the President of diplomatic ministers or agents, consuls general, higher officials of the treasury, colonels and other superior officers of the army and navy as by law provided.

III. To authorize the Executive to allow the national troops to go beyond the limits of the Republic or to permit foreign troops to pass through the national territory and to consent to the presence of foreign fleets for more than one month in Mexican waters.

IV. To give its consent to the use, by the President, of the national guard beyond the limits of the respective States or Territories and to fix the amount of the force to be used.

V. To declare when the constitutional powers of any State have disappeared, that the occasion has arisen to give to the said State a provisional governor, who shall call for elections to be held according to the constitution and laws of the said State. The appointment of such a governor shall be made by the Senate with the approval of two-thirds of its members present or during recess by the permanent committee by the same two-thirds majority from among three names proposed by the President. The official thus selected shall not be chosen constitutional governor in the elections to be held under the call which he shall issue. This provision shall govern whenever the State constitutions do not provide for the contingency.

VI. To sit as a grand jury to take cognizance of such official offenses of functionaries as are expressly prescribed by this constitution.

VII. To exercise such other powers as may be expressly vested in it by this constitution.

VIII. To adjust all political questions arising between the powers of a State whenever one of them shall appeal to the senate or whenever by virtue of such differences a clash of arms has arisen to interrupt the constitutional order. In this event the senate shall decide in accordance with the Federal constitution and the constitution of the State involved.

The exercise of this power and of the foregoing shall be regulated by law.

ART. 77. Each house may, without the intervention of the other:

I. Pass resolutions for matters exclusively relating to its own interior government.

II. Communicate with the other house, and with the Executive through the intermediary of committees appointed from among its members.

III. Appoint the employees in the office of the secretary and to make all rules and regulations for the said office.

IV. Issue a call for extraordinary elections to fill any vacancies which may have occurred in its membership.

SECTION IV.—OF THE PERMANENT COMMITTEE.

ART. 78. During the recesses of the Congress there shall be a permanent committee consisting of 29 members, 15 of whom shall be representatives and 14 senators, appointed by the respective houses on the eve of the day of adjournment.

ART. 79. In addition to the powers expressly vested in it by this constitution, the permanent committee shall have the following powers:

I. To give its consent to the use of the national guard as provided in article 76, clause IV.

II. To administer the oath of office should the occasion arise, to the President, to the members of the supreme court, to the superior judges of the Federal District and territories, on such occasions as the latter officials may happen to be in the City of Mexico.

III. To report on all pending matters, so that they may be considered in the ensuing session.

IV. To call extraordinary sessions in the case of official offenses or offenses of the common order committed by secretaries of executive departments or justices of the supreme court, and official offenses committed by State governors provided the case shall have been already instituted by the committee of the grand jury, in which event no other business of the Congress shall be considered, nor shall the sessions be prolonged beyond the time necessary for a decision.

CHAPTER III.—OF THE EXECUTIVE POWER.

ART. 80. The exercise of the supreme executive power of the nation is vested in a single individual who shall be called "President of the United States of Mexico."

ART. 81. The election of the President shall be direct in accordance with the provisions of the electoral law.

ART. 82. The President of the Republic shall have the following qualifications:

I. He shall be a Mexican citizen by birth, in the full enjoyment of his rights and he must be the son of Mexican parents by birth.

II. He shall be over 35 years of age at the time of election.

III. He shall have resided in the country during the entire year prior to the election.

IV. He shall not belong to any ecclesiastical order nor be a minister of any religious creed.

V. In the event of belonging to the army he shall have retired from active service 90 days immediately prior to the election.

VI. He shall not be a secretary or assistant secretary of any executive department unless he shall have resigned from office 90 days prior to the election.

VII. He shall not have taken part, directly or indirectly, in any uprising, riot or military coup.

ART. 83. The President shall enter upon the duties of his office on the first day of December, shall serve four years and shall never be reelected.

The citizen who shall replace the constitutional President in the event of his permanent disability shall not be elected President for the ensuing term.

Nor shall the person designated as Acting President during the temporary disabilities of the constitutional President be reelected President for the ensuing term.

ART. 84. In the event of the permanent disability of the President of the Republic, if this shall occur within the first two years of the respective term, the Congress, if in session, shall forthwith act as an electoral college and with the attendance of at least two-thirds of its total membership shall choose a President by secret ballot and by a majority vote; and the same Congress shall issue the call for Presidential elections and shall endeavor to have the date set for this event as far as possible coincide with the date of the next election of Representatives and Senators to Congress.

Should the disability of the President occur while Congress is in recess, the permanent committee shall forthwith designate a President ad interim who shall call Congress together in extraordinary session, in order that it may in turn issue the call for Presidential elections in the manner provided in the foregoing article.

Should the disability of the President occur in the last two years of the respective term, the Congress, if in session, shall choose the substitute to conclude the period of the Presidential term; if Congress shall not be in session the permanent committee shall choose a President ad interim and shall summon Congress in extraordinary session in order that it may act as an electoral college and proceed to the election of the substitute President.

The President ad interim may be chosen by Congress as substitute President.

The citizen designated as President ad interim for the purpose of calling elections, in the event of the disability of the President within the two first years of the respective term, shall not be chosen in the elections held to fill such vacancy and for which he was designated.

ART. 85. If the President-elect shall fail to present himself at the beginning of any constitutional term, or the election not have been held and the result made known by the 1st of December, the outgoing President shall nevertheless vacate office and the President ad interim chosen by the Congress, or in its recess by the permanent com-

mittee, shall forthwith assume the executive power. All action taken hereunder shall be governed by the provisions of the foregoing article.

In case of a temporary disability of the President, the Congress, or the permanent committee if the Congress shall not be in session, shall designate an Acting President during such disability. If a temporary disability shall become permanent the action prescribed in the preceding article shall be taken.

In the event of a leave of absence granted to the President of the Republic the person acting in his stead shall not be disqualified from being elected in the ensuing period, provided he shall not have been in office during the holding of elections.

ART. 86. The President may not resign office except for grave cause, upon which the Congress shall pass, to which body the resignation shall be tendered.

ART. 87. The President before entering upon the discharge of the duties of his office, shall make the following affirmation before the Congress, or in its recess before the permanent committee:

"I do solemnly affirm that I will defend and enforce the Constitution of the United States of Mexico and the laws arising thereunder and that I will faithfully and conscientiously perform the duties of President of the United States of Mexico, to which I have been chosen by the people, having ever in mind the welfare and prosperity of the nation; if I shall fail to do so, may the nation call me to account."

ART. 88. The President may not absent himself from the national territory without the permission of the Congress.

ART. 89. The President shall have the following powers and duties:

I. To promulgate and execute the laws enacted by the Congress, providing in the administrative sphere for their faithful observance.

II. To appoint and remove at will the secretaries of executive departments, the attorney general of the Republic, the governor of the Federal district, the governors of territories, the attorney general of the Federal district and territories; and to appoint and remove at will all other Federal employees whose appointment or removal is not otherwise provided for by law or in this constitution.

III. To appoint by and with the approval and consent of the Senate all ministers, diplomatic agents and consuls general.

IV. To appoint by and with the approval of the Senate the colonels and other superior officers of the army and navy and the superior officials of the Treasury.

V. To appoint all other officers of the army and navy as by law provided.

VI. To dispose of the permanent land and sea forces for the domestic safety and defense of the Union.

VII. To dispose of the national guard for the same purposes, as provided by Article 76, Clause IV.

VIII. To declare war in the name of the United States of Mexico, after the passage of the corresponding resolution by the Congress.

IX. To grant letters of marque, upon the terms and conditions fixed by the Congress.

X. To conduct diplomatic negotiations and to enter into treaties with foreign powers, submitting them for ratification to the Congress.

XI. To call Congress or either of the Houses in extraordinary session, whenever in his judgment it may be advisable.

XII. To afford the judiciary all the assistance necessary for the expeditious exercise of its functions.

XIII. To open all kinds of ports, establish maritime and frontier customs houses and designate their location.

XIV. To grant, according to law, pardons to criminals sentenced for offenses within the jurisdiction of the Federal tribunals, and to all persons sentenced for offenses of the common order in the Federal district and territories.

XV. To grant exclusive privileges for a limited time, and according to the respective laws, to discoverers, inventors or improvers in any branch of industry.

XVI. Whenever the Senate shall not be in session the President may temporarily make the appointments enumerated in Clauses III and IV hereof, but these appointments shall be submitted to the Senate so soon as it reconvenes.

XVII. To exercise such other rights and duties as are expressly conferred upon him by this constitution.

ART. 90. For the transaction of administrative matters of the Federal Government there shall be the number of secretaries of executive departments which the Congress may by law establish, which law shall likewise assign among the several departments the several matters with which each shall be charged.

ART. 91. No person shall be appointed secretary of an executive department who is not a Mexican citizen by birth and in the enjoyment of his rights and who has not attained the age of 30 years.

ART. 92. All rules, regulations, decrees and orders of the President shall be signed by the secretary of the executive department to which the matter pertains. They shall

not be binding without this requisite. All rules, regulations and orders of the President touching the government of the Federal district and of the administrative departments shall be transmitted directly by the President to the governor of the district and to the chief of the respective department.

ART. 93. The secretaries of executive departments shall on the opening of each regular session report to the Congress as to the state of their respective departments. Either House may summon a secretary of an executive department to inform it, whenever a bill or other matter pertaining to his department is under discussion.

CHAPTER IV—OF THE JUDICIAL POWERS.

ART. 94. The judicial power of the federation is vested in a Supreme Court and in circuit and district courts, whose number and powers shall be fixed by law. The Supreme Court of Justice shall consist of 11 members; its sittings shall be in banc and open to the public, except in the cases where public interest or morality shall otherwise require. It shall meet at such times and under such conditions as by law prescribed. No sittings of the court shall be held without the attendance of at least two-thirds of its total membership, and all decisions rendered shall be by a majority vote.

The justices of the supreme court chosen to this office in the forthcoming elections shall serve two years; those elected at the conclusion of this first term shall serve four years, and from and after the year 1923 the justices of the supreme court, the circuit and district judges may only be removed for malfeasance and after impeachment proceedings, unless the circuit and district judges be promoted to the next higher grade.

The same provision shall govern in so far as it be applicable to the terms of two and four years, respectively, to which this article refers.

ART. 95. The justices of the supreme court shall have the following qualifications:

I. They shall be Mexican citizens by birth, in the full enjoyment of their civil and political rights.

II. They shall be over 35 years of age at the time of election.

III. They shall be graduates in law, of some institution or corporation authorized by law to confer such degrees.

IV. They shall be of good repute and not have been convicted of any offense punishable with more than one year's imprisonment; but conviction of larceny, deceit, forgery, embezzlement, or any other offense seriously impairing their good name in the public mind shall disqualify them for office, whatever may have been the penalty imposed.

V. They shall have resided in the country for the last five years, except in the case of absence due to public service abroad for a period not exceeding six months.

ART. 96. The members of the supreme court of justice shall be chosen by the Congress, acting as an electoral college; the presence of at least two-thirds of the total number of representatives and senators shall be necessary for such action. The election shall be by secret ballot and by a majority vote, and shall be held as among the candidates previously proposed, one being nominated by each State legislature as provided in the respective State laws.

Should no candidate receive a majority on the first ballot, the balloting shall be repeated between the two candidates receiving the highest number of votes.

ART. 97. All circuit and district judges shall be appointed by the supreme court of justice; they shall have such qualifications as by law required shall serve four years, and shall not be removed except by impeachment proceedings or for incapacity to discharge their duties, in accordance with the law.

The supreme court of justice may remove the district judges from one district to another, or it may fix their seats in another locality as it may deem most advantageous to the public business. A similar procedure shall be observed in the case of circuit judges.

The supreme court of justice may likewise appoint auxiliary circuit and district judges to assist in the labors of such courts as have an excessive amount of business in order that the administration of justice may be speedy; it shall also name one or more of its members or some district or circuit judge or shall designate one or more special commissioners whenever it shall deem it advisable or on the request of the President or of either house or of any State governor, solely for the purpose of inquiring into the behavior of any judge or Federal justice or into any fact or facts which amount to a violation of any individual rights or to the subversion of the popular will or any other offense punishable by Federal statute.

The circuit and district courts shall be assigned among the several justices of the supreme court, who shall visit them periodically, shall observe the conduct of their judges, listen to any complaint presented against them, and perform all such other acts

as the law may require. The supreme court shall appoint and remove at will its clerk of the court and other employees on the roster established by law. The circuit and district judges shall likewise appoint and remove at will their respective clerks and employees.

The supreme court shall choose each year one of its members to act as chief justice with the right of reelection.

Each justice of the supreme court, on assuming office, shall make an affirmation before Congress, or if this is in recess, before the permanent committee, as follows:

The presiding officer shall say, "Do you promise to perform faithfully and conscientiously the duties of justice of the supreme court with which you have been charged and to defend and enforce the constitution of the United States of Mexico and the laws arising thereunder, having ever in mind the welfare and prosperity of the nation?" To which the justice shall reply, "I do." On which the presiding officer shall answer, "If you fail to do so, may the nation call you to account."

The circuit and district judges shall make the affirmation of office before the supreme court or before such other authority as the law may determine.

ART. 98. No temporary disability of a justice of the supreme court not exceeding one month shall be filled, provided there be otherwise a quorum. In the absence of a quorum the Congress, or in its recess the permanent committee, shall name a substitute selected from among the candidates submitted by the States for the election of the justice in question and not chosen, to serve during such disability. If the disability do not exceed two months, the Congress, or during its recess the permanent committee, shall choose at will a temporary justice.

In the event of the death, resignation, or disqualification of any justice of the supreme court, a new election shall be held by the Congress to fill this vacancy, as provided in article 96.

If the Congress shall not be in session the permanent committee shall make a temporary appointment until such time as the Congress shall convene and proceed to the corresponding election.

ART. 99. The resignation of a justice of the supreme court shall only be accepted for grave cause, to be passed upon by the Congress, to whom the resignation shall be tendered. If the Congress is in recess the power to act in this matter shall pertain to the permanent committee.

ART. 100. The supreme court shall grant all leaves of absence of its members when they do not exceed one month; such as do exceed this period shall be granted by the House of Representatives, or during its recess by the permanent committee.

ART. 101. No justice of the supreme court, circuit or district judge, nor clerk of any of these courts shall under any circumstances accept any State, federal, or private commission or office, excepting honorary titles from scientific, literary, or charitable associations. The violation of this provision shall work a forfeiture of office.

ART. 102. The office of the public attorney shall be organized in accordance with the law, and the public attorneys shall be appointed and removed at will by the Executive. They shall be under the direction of an attorney general, who shall possess the same qualifications as are required for the office of justice of the supreme court.

The public attorneys shall be charged with the judicial prosecution of all federal offenses; they shall accordingly sue out all orders of arrest, assemble and offer all evidence as to the responsibility of the accused, see that the trials are conducted in due order so that the administration of justice may be speedy, pray the imposition of sentence, and in general take part in all matters required by law.

The attorney general of the Republic shall personally intervene in matters to which the Federal Government is a party, in cases affecting ministers, diplomatic agents, and consuls general, and in all controversies between two or more States of the Union, between the Federal Government and a State, or between the several powers of a State. The attorney general may either personally or through one of the public attorneys take part in all other cases in which the public attorneys are called upon to act.

The attorney general shall be the legal advisor of the Government, and both he and the public attorneys under his orders shall faithfully obey the law and shall be liable for all breaches or for any violations in which they may incur in the discharge of their duties.

ART. 103. The federal tribunals shall take cognizance of:

I. All controversies arising out of laws or acts of the authorities when the latter infringe any individual rights.

II. All controversies arising out of laws or acts of the Federal authorities which limit or encroach upon the sovereignty of the States.

III. All controversies arising out of laws or acts of the State authorities which invade the sphere of the Federal authorities.

ART. 104. The Federal tribunals shall have jurisdiction over:

I. All controversies of a civil or criminal nature arising out of the application and enforcement of the Federal laws, or out of treaties concluded with foreign powers. Whenever such controversies affect only private rights, the regular local courts of the States, the Federal district and territories shall, at the election of the plaintiff, assume jurisdiction. Appeal may be had from all judgments of first instance to the next higher tribunal of the same court in which the case was first heard. Appeal may be taken from sentences of second instance to the supreme court of justice, which appeal shall be prepared, submitted, and prosecuted in accordance with the procedure provided by law.

II. All cases pertaining to admiralty law.

III. All cases to which the Federal Government may be a party.

IV. All cases arising between two or more States or between any State and the Federal Government, as well as those arising between the courts of the Federal district and those of the Federal Government or of a State.

V. All cases arising between a State and one or more citizens of another State.

VI. All cases concerning diplomatic agents and consular officers.

ART. 105. The supreme court of justice shall have exclusive jurisdiction in all controversies arising between two or more States, between the powers of government of any State as to the constitutionality of their acts, or between one or more States and the Federal Government, and in all cases to which the Federal Government may be a party.

ART. 106. The supreme court of justice shall likewise have exclusive jurisdiction to determine all questions of jurisdiction between the Federal tribunals, between these and those of the States, or between those of one State and those of another.

ART. 107. All controversies mentioned in Article 103 shall be prosecuted by the injured party in accordance with the judicial forms and procedure which the law shall establish, subject to the following conditions:

I. The judgment shall always be so drawn as to affect exclusively private individuals, and shall confine itself to affording them protection in the special case to which the complaint refers; but it shall make no general statement as to the law or the act that may have formed the basis for the complaint.

II. In civil or penal suits, excepting those mentioned in Clause IX hereof, the writ of "amparo"¹ shall issue only against final judgments when no other ordinary recourse is available by which these judgments may be modified or amended, if the violation of the law shall have occurred in the judgment, or if, although committed during the course of the trial, objection was duly noted and protest entered against the denial of reparation, and provided further, that if committed in first instance it shall have been invoked in second instance as a violation of the law.

When the writ of "amparo" is sought against mesne judgments, in accordance with the provisions of the foregoing clause, these rules shall be observed as far as applicable.

Notwithstanding the foregoing provision, the supreme court may in penal cases waive any defects in the petition when there has been a manifest violation of the law which has left the petitioner without recourse, or when he has been tried by a law not strictly applicable to the case, provided failure to take advantage of this violation has been merely an oversight.

III. In civil or penal suits the writ of "amparo" shall issue only if substantial portions of the rules of procedure have been violated, and provided further that the said violation shall deprive the petitioner of means of defense.

IV. In addition to the case mentioned in the foregoing paragraph, the writ of "amparo" shall issue only on a final judgment in a civil suit, provided the requirements set forth in Clause II hereof have been complied with, when the said judgment shall be contrary to the letter of the law applicable to the case or contrary to its legal interpretation, when it includes persons, actions, defenses, or things which have not been the object of the suit, or finally when all these have not been included either through omission or express refusal.

¹ This unique feature of Mexican law combines the essential elements of the extraordinary writs of habeas corpus, certiorari, and mandamus. It is a Federal procedure designed to give immediate protection when any of the fundamental rights of man are infringed by any authority, irrespective of category, or to excuse the obedience of a law or decree which has invaded the Federal or local sphere. Its use is most extensive, embracing minors, persons absent abroad acting through a "next friend," corporation, etc. An important feature is that it merely gives protection to a specific person or entity, and never makes any general statement of law. It could, hence, never declare a law unconstitutional, though it would give immediate protection as soon as the law in question acted on any person.

V. In penal suits the authorities responsible for the violation shall stay the execution of final judgment against which the writ of "amparo" has been sought; for this purpose the petitioner shall, within the period set by law, give notice, under oath, to the said authorities of the interposition of this recourse, accompanying it with two copies of the petition, one of which shall be delivered to the opposing party and the other filed.

VI. The execution of a final judgment in civil suits shall only be stayed when the petitioner shall give bond to cover damages occasioned thereby, unless the other party shall give a counter bond (1) to guarantee that the normal conditions and relations previously existing be restored, and (2) to pay the corresponding damages in the event of the granting of the "amparo." In such event the interposition of the recourse of "amparo" shall be communicated as provided in the foregoing clause.

VII. If a writ of "amparo" be sought against a final judgment, a certified copy of such portions of the record as the petitioner may desire shall be requested from the authority responsible for the violation; to this there shall be added such portions as the other party may desire and a clear and succinct statement by the said authority of the justification of the act protested; note shall be made of this on the record.

VIII. When a writ of "amparo" is sought against a final judgment, the petition shall be brought before the supreme court; this petition, together with a copy required by clause VII, shall be either presented to the supreme court or sent through the authority responsible for the violation or through the district court of the corresponding State. The supreme court shall render judgment without any other formality or procedure than the petition, the document presented by the other party and that of the attorney general or the public attorney he may name in his stead, and shall comprise no other legal question than that contained in the complaint.

IX. When the acts of an authority other than the judicial are involved or the acts of the judiciary exercised outside of the suit or after the termination thereof, or acts committed during the suit whose execution is of impossible reparation, or which affect persons not parties to the suit, the writ of "amparo" shall be sought before the district court within whose jurisdiction is located the place where the act protested was committed or attempted; the procedure in this case shall be confined to the report of the authority and to a hearing, the call for which shall be issued in the same order of the court as that calling for the report. This hearing shall be held at as early a date as possible, the testimony of both parties offered, arguments heard which shall not exceed one hour for each side, and finally the judgment which shall be pronounced at the same hearing. The judgment of the district court shall be final if the interested parties do not appeal to the supreme court within the period set by law and in the manner prescribed by Clause VIII.

In case of a violation of the guaranties of articles 16, 19, and 20, recourse shall be had through the appellate court of the court committing the breach or to the corresponding district court. An appeal against the decision of any of these courts may be taken to the supreme court.

If the district judge shall not reside in the same locality as the official guilty of the violation, the judge before whom the petition of "amparo" shall be submitted shall be determined by law; this judge shall be authorized to suspend temporarily the execution of the act protested in accordance with the terms established by law.

X. Any official failing to suspend the execution of the act protested, when in duty bound to do so, or when he admits an insufficient or improper bond, shall be turned over to the proper authorities; the civil and penal liability of the official shall in these cases be a joint liability with the person offering the bond and his surety.

XI. If after the granting of an "amparo," the guilty official shall persist in the act or acts against which the petition of "amparo" was filed, or shall seek to render of no effect the judgment of the Federal authority, he shall be forthwith removed from office and turned over for trial to the corresponding district court.

XII. Wardens and jailers who fail to receive a duly certified copy of the formal order of commitment within the 72 hours granted by article 19, reckoned from the time the accused is placed at the disposal of the court, shall bring this fact to the attention of the court, immediately upon expiration of this period; and if the proper order be not received within the next three hours the accused shall be set at liberty.

Any official who shall violate this provision and the article referred to in the foregoing paragraph shall be immediately turned over to the proper authorities. Any official or agent thereof who, after an arrest has been made, shall fail to place the accused at the disposition of the court within the next 24 hours shall himself be turned over to the proper authority.

If the detention be effected outside the locality in which the court is situated, there shall be added to the period mentioned in the preceding sentence the time necessary to travel from the said locality to that where the detention took place.

TITLE IV.—OF THE RESPONSIBILITIES OF OFFICIALS.

ART. 108. Senators and representatives of Congress, justices of the supreme court, secretaries of executive departments, and the attorney general of the Republic shall be liable for all common offenses committed during their term of office, as well as for all official offenses or acts of commission or omission in which they may incur in the discharge of their duties.

Governors of States and members of State legislatures shall be liable for violation of the constitution and the Federal laws.

The President of the Republic may only be impeached during his term of office for high treason and common offenses of a serious character.

ART. 109. If the offense belongs to the common order the House of Representatives, acting as a grand jury, shall determine by a majority vote of its total membership whether there is or is not any ground for proceeding against the accused.

If the finding be favorable to the accused, no further action shall be taken; but such finding shall not be a bar to the prosecution of the charge so soon as the constitutional privilege shall cease, since the finding of the House does not in any way determine the merits of the charge.

If the finding be adverse, the accused shall ipso facto be removed from office and be placed at the disposition of the ordinary courts of justice, except in the case of the President of the Republic, who may only be impeached before the Senate, as in the case of an official offense.

ART. 110. No constitutional privilege shall be extended to any high Federal functionary when tried for official offenses, misdemeanors, or omissions committed in the discharge of another public office or commission, during the time in which the privilege is enjoyed by law. This provision shall be applicable to cases of common offenses committed during the discharge of the said office or commission. In order that proceedings may be instituted when the functionary shall have returned to his original office the provisions set forth in the foregoing article shall be observed.

ART. 111. The Senate acting as a grand jury shall try all cases of impeachment; but it may not institute such proceedings without a previous accusation brought by the House of Representatives.

If the Senate should, after hearing the accused and conducting such proceedings as it may deem advisable, determine by a majority vote of two-thirds of its total membership that the accused is guilty, the latter shall be forthwith removed from office by virtue of such decision, or be disqualified from holding any other office for such time as the law may determine.

When the same offense is punishable with an additional penalty, the accused shall be placed at the disposition of the regular authorities, who shall judge and sentence him in accordance with the law.

In all cases embraced by this article and in those included by the preceding both the decisions of the grand jury and the findings of the House of Representatives shall be final.

Any person shall have the right to denounce before the House of Representatives offenses of a common order or of an official character committed by high Federal functionaries; and whenever the said House of Representatives shall determine that there exist good grounds for impeachment proceedings before the Senate, it shall name a committee from among its own members to sustain the charges brought.

The Congress shall as soon as possible enact a law as to the responsibility of all Federal officials and employees, which shall fix as official offenses all acts, of commission or omission, which may prejudice the public interest and efficient administration, even though such acts may not heretofore have been considered offenses. These officials shall be tried by a jury in the same manner as provided for trials by jury in article 20.

ART. 112. No pardon shall be granted the offender in cases of impeachment.

ART. 113. The responsibility for official breaches and offenses may only be enforced during such time as the functionary shall remain in office and for one year thereafter.

ART. 114. In civil cases no privilege nor immunity in favor of any public functionary shall be recognized.

TITLE V.—OF THE STATES OF THE FEDERATION.

ART. 115. The States shall adopt for their internal administration the popular, representative, republican form of government; they shall have as the basis of their territorial division and political and administrative organization the free municipality, in accordance with the following provisions:

I. Each municipality shall be administered by a town council chosen by direct vote of the people, and no authority shall intervene between the municipality and the State government.

II. The municipalities shall freely administer their own revenues, which shall be derived from the taxes fixed by the State legislatures, which shall at all times be sufficient to meet their needs.

III. The municipalities shall be regarded as enjoying corporate existence for all legal purposes.

The Federal Executive and the State governors shall have command over all public forces of the municipalities wherein they may permanently or temporarily reside.

Constitutional State governors shall not be reelected, nor shall their term of office exceed four years.

The prohibitions of article 83 are applicable to governors and to substitute or ad interim governors.

The number of representatives in the State legislatures shall be in proportion to the inhabitants of each State, but in no case shall the number of representatives in any State legislature be less than 15.

Each electoral district of the States shall choose a representative and an alternate to the State legislature.

Every State governor shall be a Mexican citizen by birth and a native thereof, or resident therein not less than five years immediately prior to the day of election.

ART. 116. The States shall have the power to fix among themselves by friendly agreements their respective boundaries; but these agreements shall not be carried into effect without the approval of the Congress.

ART. 117. No State shall—

I. Enter into alliances, treaties, or coalitions with another State or with foreign powers.

II. Grant letters of marque or reprisal.

III. Coin money, issue paper money, stamps of stamped paper.

IV. Levy taxes on persons or property passing through its territory.

V. Prohibit or tax, directly or indirectly, the entry into its territory or the withdrawal therefrom of any merchandise, foreign or domestic.

VI. Burden the circulation or consumption of domestic or foreign merchandise with taxes or duties to be collected by local customhouses or subject to inspection the said merchandise or require it to be accompanied by documents.

VII. Enact or maintain in force laws or fiscal regulations discriminating, by taxation or otherwise, between merchandise, foreign or domestic, on account of its origin, whether this discrimination be established with regard to similar local products or to similar products of foreign origin.

VIII. Issue bonds of the public debt payable in foreign coin or outside the Federal territory; contract loans, directly or indirectly, with any foreign government, or assume any obligation in favor of any foreign corporation or individual, requiring the issue of certificates or bonds payable to bearer or negotiable by indorsement.

The Federal Congress and the State legislatures shall forthwith enact laws against alcoholism.

ART. 118.—No State shall, without the consent of the Congress:

I. Establish tonnage dues or other port charges, or impose taxes or other duties upon imports or exports.

II. Keep at any time permanent troops or vessels of war.

Make war on its own behalf on any foreign power, except in cases of invasion or of such imminent peril as to admit of no delay. In such event the State shall give notice immediately to the President of the Republic.

ART. 119.—Every State is bound to deliver without delay to the demanding authorities the fugitives from justice from other States or from foreign nations.

In such cases the writ of the court granting the extradition shall operate as a sufficient warrant for the detention of the accused for one month in the case of extradition from one State to another and for two months in the case of international extradition.

ART. 120.—The State governors are bound to publish and enforce the Federal laws.

ART. 121.—Full faith and credit shall be given in each State of the federation to the public acts, records, and judicial proceedings of all the other States. The Congress shall by general laws prescribe the manner of proving the said acts, records, and proceedings and the effect thereof, as hereinafter provided.

I. The laws of a State shall only be binding within its own confines, and shall therefore have no extraterritorial force.

II. Movable and immovable property shall be governed by the *lex sitae*.

III. Judgments of a State court as to property and property rights situated in another State shall only be binding when expressly so provided by the law of the latter State.

Judgments relating to personal rights shall only be binding in another State provided the person shall have expressly, or impliedly by reason of domicile, submitted to the jurisdiction of the court rendering such judgment, and provided further that personal service shall have been secured.

IV. All acts of civil status performed in accordance with the laws of one State shall be binding in all other States.

V. All professional licenses issued by the authorities of one State in accordance with its laws shall be valid in all other States.

ART. 122.—The powers of the union are bound to protect the States against all invasion or external violence. In case of insurrection or internal disturbance they shall give them the same protection, provided the legislature of the State, or the executive thereof if the legislature is not in session, shall so request.

TITLE VI.—OF LABOR AND SOCIAL WELFARE.

ART. 123.—The Congress and the State legislatures shall make laws relative to labor, with due regard for the needs of each region of the Republic and in conformity with the following principles, and these principles and laws shall govern the labor of skilled and unskilled workmen, employees, domestic servants and artisans, and in general every contract of labor.

I. Eight hours shall be the maximum limit of a day's work.

II. The maximum limit of night work shall be seven hours. Unhealthy and dangerous occupations are forbidden to all women and to children under 16 years of age. Night work in factories is likewise forbidden to women and to children under 16 years of age, nor shall they be employed in commercial establishments after 10 o'clock at night.

III. The maximum limit of a day's work for children over 12 and under 16 years of age shall be six hours. The work of children under 12 years of age can not be made the object of a contract.

IV. Every workman shall enjoy at least one day's rest for every six days' work.

V. Women shall not perform any physical work requiring considerable physical effort during the three months immediately preceding parturition; during the month following parturition they shall necessarily enjoy a period of rest and shall receive their salaries or wages in full and retain their employment and the rights they may have acquired under their contracts. During the period of lactation they shall enjoy two extraordinary daily periods of rest of one-half hour each in order to nurse their children.

VI. The minimum wage to be received by a workman shall be that considered sufficient, according to the conditions prevailing in the respective region of the country to satisfy the normal needs of the life of the workman, his education, and his lawful pleasures, considering him as the head of a family. In all agricultural, commercial, manufacturing, or mining enterprises the workmen shall have the right to participate in the profits in the manner fixed in Clause IX of this article.

VII. The same compensation shall be paid for the same work without regard to sex or nationality.

VIII. The minimum wage shall be exempt from attachment, set-off, or discount.

IX. The determination of the minimum wage and of the rate of profit-sharing described in clause VI shall be made by special commissions to be appointed in each municipality and to be subordinated to the central board of conciliation to be established in each state.

X. All wages shall be paid in legal currency and shall not be paid in merchandise orders, counters, or any other representative token with which it is sought to substitute money.

XI. When owing to special circumstances it becomes necessary to increase the working hours there shall be paid as wages for the overtime 100 per cent more than those fixed for regular time. In no case shall the overtime exceed three hours nor continue for more than three consecutive days; and no women of whatever age nor boys under 16 years of age may engage in overtime work.

XII. In every agricultural, industrial, mining, or similar class of work employers are bound to furnish their workmen comfortable and sanitary dwelling places, for which they may charge rents not exceeding one-half of 1 per cent per month of the assessed value of the properties. They shall likewise establish schools, dispensaries, and other services necessary to the community. If the factories are located within inhabited places and more than 100 persons are employed therein, the first of the above-mentioned conditions shall be complied with.

XIII. Furthermore, there shall be set aside in these labor centers, whenever their population exceeds 200 inhabitants, a space of land not less than 5,000 square meters for the establishment of public markets, and the construction of buildings designed for municipal service and places of amusement. No saloons or gambling houses shall be permitted in such labor centers.

XIV. Employers shall be liable for labor accidents and occupational diseases arising from work; therefore employers shall pay the proper indemnity, according

to whether death or merely temporary or permanent disability has ensued, in accordance with the provisions of law. This liability shall remain in force even though the employer contract for the work through an agent.

XV. Employers shall be bound to observe in the installation of their establishments all the provisions of law regarding hygiene and sanitation and to adopt adequate measures to prevent accidents due to the use of machinery, tools, and working materials, as well as to organize work in such a manner as to assure the greatest guaranties possible for the health and lives of workmen compatible with the nature of the work, under penalties which the law shall determine.

XVI. Workmen and employers shall have the right to unite for the defense of their respective interests, by forming syndicates, unions, etc.

XVII. The law shall recognize the right of workmen and employers to strike and to suspend work.

XVIII. Strikes shall be lawful when by the employment of peaceful means they shall aim to bring about a balance between the various factors of production and to harmonize the rights of capital and labor. In public services the workmen shall be obliged to give notice 10 days in advance to the board of conciliation and arbitration of the date set for the suspension of work. Strikes shall only be considered unlawful when the majority of the strikers shall resort to acts of violence against persons or property, or in case of war when the strikers belong to establishments and services dependent on the Government. Employees of military manufacturing establishments of the Federal Government shall not be included in the provisions of this clause, inasmuch as they are a dependency of the national army.

XIX. Lockouts shall only be lawful when the excess of production shall render it necessary to shut down in order to maintain prices reasonably above the cost of production, subject to the approval of the board of conciliation and arbitration.

XX. Differences or disputes between capital and labor shall be submitted for settlement to a board of conciliation and arbitration to consist of an equal number of representatives of the workmen and of the employers and of one representative of the Government.

XXI. If the employer shall refuse to submit his differences to arbitration or to accept the award rendered by the board, the labor contract shall be considered as terminated, and the employer shall be bound to indemnify the workman by the payment to him of three months' wages, in addition to the liability which he may have incurred by reason of the dispute. If the workman reject the award, the contract will be held to have terminated.

XXII. An employer who discharges a workman without proper cause or for having joined a union or syndicate or for having taken part in a lawful strike shall be bound, at the option of the workman, either to perform the contract or to indemnify him by the payment of three months' wages. He shall incur the same liability if the workman shall leave his service on account of the lack of good faith on the part of the employer or of maltreatment either as to his own person or that of his wife, parents, children, or brothers, or sisters. The employer can not evade this liability when the maltreatment is inflicted by subordinates or agents acting with his consent or knowledge.

XXIII. Claims of workmen for salaries or wages accrued during the past year and other indemnity claims shall be preferred over any other claims in cases of bankruptcy or execution proceedings.

XXIV. Debts contracted by workmen in favor of their employers or their employers' associates, subordinates, or agents, may only be charged against the workmen themselves, and in no case and for no reason collected from the members of his family. Nor shall such debts be paid by the taking of more than the entire wages of the workman for any one month.

XXV. No fee shall be charged for finding work for workmen by municipal offices, employment bureaus, or other public or private agencies.

XXVI. Every contract between a Mexican citizen and a foreign principal shall be legalized before the competent municipal authority and viséed by the consul of the nation to which the workman is undertaking to go, on the understanding that in addition to the usual clauses special and clear provisions shall be inserted for the payment by the foreign principal making the contract of the cost to the laborer of repatriation.

XXVII. The following stipulations shall be null and void and shall not bind the contracting parties, even though embodied in the contract:

(a) Stipulations providing for inhuman day's work on account of its notorious excessiveness, in view of the nature of the work.

(b) Stipulations providing for a wage rate which in the judgment of the board of conciliation and arbitration is not remunerative.

(c) Stipulations providing for a term of more than one week before the payment of wages.

(d) Stipulations providing for the assigning of places of amusement, eating places, cafés, taverns, saloons, or shops for the payment of wages, when employees of such establishments are not involved.

(e) Stipulations involving a direct or indirect obligation to purchase articles of consumption in specified shops or places.

(f) Stipulations permitting the retention of wages by way of fines.

(g) Stipulations constituting a waiver on the part of the workman of the indemnities to which he may become entitled by reason of labor accidents or occupational diseases, damages for nonperformance of the contract, or for discharge from work.

(h) All other stipulations implying the waiver of some right vested in the workman by labor laws.

XXVIII. The law shall decide what property constitutes the family estate. These goods shall be inalienable and may not be mortgaged, garnished, or attached, and may be bequeathed and inherited with simplified formalities in the succession proceedings.

XXIX. Institutions of popular insurance established for old age, sickness, life, unemployment, accident, and others of a similar character, are considered of social utility; the Federal and State Governments shall therefore encourage the organization of institutions of this character in order to instill and inculcate popular habits of thrift.

XXX. Cooperative associations for the construction of cheap and sanitary dwelling houses for workmen shall likewise be considered of social utility whenever these properties are designed to be acquired in ownership by the workmen within specified periods.

TITLE VII.—OF GENERAL PROVISIONS.

ART. 124. All powers not expressly vested in this constitution in the Federal authorities are understood to be reserved to the States.

ART. 125. No person shall hold at the same time two Federal offices or one Federal and one State elective office; if elected to two, he shall choose between them.

ART. 126. No payment shall be made which is not included in the budget or authorized by a law subsequent to the same.

ART. 127. The President of the Republic, the justices of the supreme court, representatives and senators, and other public officials of the Federation who are chosen by popular election shall receive a compensation for their services which shall be paid by the Federal treasury and determined by law. This compensation may not be waived, and any law increasing or decreasing it shall have no effect during the period for which the functionary holds office.

ART. 128. Every public official, without exception, shall, before entering on the discharge of his duties, make an affirmation to maintain this constitution and the laws arising thereunder.

ART. 129. In time of peace no military authorities shall exercise other functions than those bearing direct relation to military discipline. No fixed and permanent military posts shall be established other than in castles, forts, and arsenals depending directly upon the Federal Government, or in camps, barracks, or depots, established outside of inhabited places for the stationing of troops.

ART. 130. The Federal authorities shall have exclusive power to exercise in matters of religious worship and outward ecclesiastical forms, such intervention as by law authorized. All other officials shall act as auxiliaries to the Federal authorities.

The Congress shall not enact any law establishing or forbidding any religion whatsoever.

Marriage is a civil contract. Marriage and all other acts relating to the civil status of individuals shall appertain to the exclusive jurisdiction of the civil authorities in the manner and form by law provided, and they shall have the force and validity given them by said laws.

A simple promise to tell the truth and to comply with obligations contracted shall subject the promisor, in the event of a breach, to the penalties established therefor by law.

The law recognizing no corporate existence in the religious associations known as churches.

The ministers of religious creeds shall be considered as persons exercising a profession and shall be directly subject to the laws enacted on the subject.

The State legislatures shall have the exclusive power of determining the maximum number of ministers of religious creeds according to the needs of each locality. Only a Mexican by birth may be a minister of any religious creed in Mexico.

No ministers of religious creeds shall, either in public or private meetings, or in acts of worship or religious propaganda, criticise the fundamental laws of the country, the authorities in particular or the Government in general; they shall have no vote, nor be eligible to office, nor shall they be entitled to assemble for political purposes.

Before dedicating new temples of worship for public use, permission shall be obtained from the department of the interior (governacion); the opinion of the respective governor of the State shall be previously heard on the subject. Every place of worship shall have a person charged with its care and maintenance, who shall be legally responsible for the faithful performance of the laws on religious observances within the said place of worship, and for all the objects used for purposes of worship.

The caretaker of each place of public worship, together with ten citizens of the place, shall promptly advise the municipal authorities as to the person charged with the care of the said place of worship. The outgoing minister shall in every instance give notice of any change, for which purpose he shall be accompanied by the incoming minister and ten other citizens of the place. The municipal authorities under penalty of dismissal and fine, not exceeding 1,000 pesos for each breach, shall be responsible for the exact performance of this provision; they shall keep a register of the places of worship and other of the caretakers thereof, subject to the same penalty as above provided. The municipal authorities shall likewise give notice to the department of the interior through the intermediary of the State governor, of any permission to open to the public use a new place of worship, as well as of any change in the caretakers. Gifts of personalty may be received in the interior of places of public worship.

Under no conditions shall studies carried on in institutions devoted to the professional training of ministers of religious creeds be ratified or be granted any other dispensation of privilege which shall have for its purpose the ratification of the said studies in official institutions. Any authority violating this provision shall be punished criminally, and all such dispensation of privilege be null and void and shall invalidate wholly and entirely the professional degree toward the obtaining of which the infraction of this provision may in any way have contributed.

No periodical publication which either by reason of its program, its title, or merely by its general tendencies, is of a religious character, shall comment upon any political affairs of the nation, nor publish any information regarding the acts of the authorities of the country or of private individuals in so far as the latter have to do with public affairs.

Every kind of political association whose name shall bear any word or any indication relating to any religious belief is hereby strictly forbidden. No assemblies of any political character shall be held within places of public worship.

No minister of any religious creed may inherit either on his own behalf or by means of a trustee or otherwise, any real property occupied by any association of religious propaganda or religious or charitable purposes. Ministers of religious creeds are incapable legally of inheriting by will from ministers of the same religious sect or from any private individual to whom they are not related by blood within the fourth degree.

All real and personal property pertaining to the clergy or to religious institutions shall be governed, in so far as their acquisition by private parties is concerned, in conformity with article 27 of this constitution.

No trial by jury shall ever be granted for the infraction of any of the preceding provisions.

ART. 131. The Federal Government shall have exclusive power to levy duties on merchandise imported, exported, or passing in transit through the national Territory as well as to regulate at all times, and if necessary to forbid, for the sake of public safety or for police reasons, the circulation in the interior of the Republic of all kinds of goods, regardless of their origin; but the Federal Government shall have no power to establish or decree in the Federal district and Federal Territories the taxes and laws to which Clauses VI and VII of article 117 refer.

ART. 132. All forts, barracks, warehouses, and other real property, destined by the Federal Government for public service or common use shall be under the jurisdiction of the Federal authorities in accordance with the law which the Congress shall issue on the subject; any of these establishments which may subsequently be acquired within the territory of any State shall likewise be subject to Federal jurisdiction, provided consent thereto shall have been obtained from the respective State legislature.

ART. 133. This constitution and the laws of the United States of Mexico which shall be made in pursuance thereof and all treaties made or which shall be made under the authority of the President of the Republic, by and with the approval and consent of the Congress, shall be the supreme law of the land. And the judges in every State shall be bound by this constitution and by these laws and treaties, anything in the constitution or laws of any State to the contrary notwithstanding.

ART. 134. Bids shall be called for on all contracts which the Government may have occasion to enter into for the execution of any public works; these bids shall be submitted under seal and shall only be opened publicly.

TITLE VIII.—OF THE AMENDMENTS TO THE CONSTITUTION.

ART. 135. The present constitution may be added to or amended. No amendment or addition shall become part of the constitution until agreed to by the Congress of the Union by a two-thirds vote of the Members present and approved by a majority of the State legislatures. The Congress shall count the votes of the legislatures and make the declaration that the amendments or additions have been adopted.

TITLE IX.—OF THE INVIOABILITY OF THE CONSTITUTION.

ART. 136. This constitution shall not lose its force and vigor even though its observance be interrupted by rebellion. In case that through any public disturbance a Government contrary to the principles which it sanctions be established, its force shall be restored so soon as the people shall regain their liberty and those who have participated in the Government emanating from the rebellion or have cooperated with it shall be tried in accordance with its provisions and with the laws arising under it.

TRANSITORY ARTICLES.

ARTICLE 1. This constitution shall be published at once and a solemn oath taken to defend and enforce it throughout the Republic; but its provisions, except those relating to the election of the supreme powers, Federal and State, shall not go into effect until the 1st day of May, 1917, at which time the constitutional congress shall be solemnly convened and the oath of office taken by the citizen chosen at the forthcoming elections to discharge the duties of President of the Republic.

The provisions of Clause V of article 82 shall not be applicable in the elections to be summoned in accordance with article 2 of the transitory articles nor shall active service in the army act as a disqualification for the office of Representative or Senator, provided the candidate shall not have active command of troops in the respective electoral district.

Nor shall the secretaries and assistant secretaries of executive departments be disqualified from election to the next Federal Congress, provided they shall definitely resign from office on the day on which the respective call is issued.

ART. 2. The person charged with the executive power of the nation shall immediately upon the publication of this constitution call for elections to fill the Federal offices; he shall see that these elections be held so that Congress may be constituted within a reasonable time, in order that it may count the cast in the presidential elections and make known the name of the person who has been elected President of the Republic, this shall be done in order that the provisions of the foregoing article may be complied with.

ART. 3. The next constitutional term shall be computed in the case of senators and representatives, from the 1st of September last, and in the case of the President of the Republic from the 1st of December, 1916.

ART. 4. Senators who in the coming election shall be classified as "even" shall serve only two years in order that the senate may be renewed by half every two years.

ART. 5. The Congress shall in the month of May next choose the justices of the supreme court in order that this tribunal may be constituted on the 1st day of June, 1917.

In these elections article 96 shall not govern in so far as the candidates proposed by the State legislatures are concerned; but those chosen shall be designated for the first term of two years prescribed by article 94.

ART. 6. The Congress shall meet in extraordinary session on the 15th day of April, 1917, to act as an electoral college, for the computing of the ballots and the determination of the election of President of the Republic, at which time it shall make known the results; it shall likewise enact the organic law of the circuit and district courts, the organic law of the tribunals of the Federal district and territories, in order that the supreme court of justice may immediately appoint the inferior and superior district and circuit judges; at the same session the Congress shall choose the superior judges and judges of first instance of the Federal district and territories, and shall also enact all laws submitted by the Executive. The circuit and district judges and the superior and inferior judges of the Federal district and territories shall take office not later than the 1st day of July, 1917, at which time such as shall have been temporarily appointed by the person now charged with the Executive power of the nation shall cease to act.

ART. 7. For this occasion only the votes for the office of senator shall be counted by the board of the first electoral district of each State or of the Federal district which shall be instituted for the counting of the votes of representatives. This board shall issue the respective credentials to the senators elect.

ART. 8. The supreme court shall decide all pending petitions of "amparo" in accordance with the laws at present in force.

ART. 9. The first chief of the constitutionalist army, charged with the executive power of the nation, is hereby authorized to issue the electoral law according to which on this occasion the elections to fill the various Federal offices shall be held.

ART. 10. All persons who shall have taken part in the Government emanating from the rebellion against the legitimate Government of the Republic, or who may have given aid to the said rebellion and later taken up arms or held any office or commission of the factions which have opposed the constitutionalist government, shall be tried in accordance with the laws at present in force, provided they shall not have been previously pardoned by the said constitutionalist government.

ART. 11. Until such time as the Congress of the Union and the State legislatures shall legislate on the agrarian and labor problems, the bases established by this constitution for the said laws shall be put into force throughout the Republic.

ART. 12. All Mexicans who shall have fought in the ranks of the constitutionalist army and their children and widows, and all other persons who shall have rendered service to the cause of the revolution, or to public instruction, shall be preferred in the acquisition of lots to which article 27 refers, and shall be entitled to such rebates as the law shall determine.

ART. 13. All debts contracted by working men on account of work up to the date of this constitution with masters, their subordinates, and agents are hereby declared wholly and entirely extinguished.

ART. 14. The departments of justice and of public instruction and fine arts are hereby abolished.

ART. 15. The citizen at present charged with the executive power is hereby authorized to issue the law of civil responsibility applicable to all promoters, accomplices and abettors of the offenses committed against the constitutional order in the month of February, 1913, and against the Constitutionalist Government.

ART. 16. The constitutional congress in the regular period of sessions, which will begin on the first day of September of the present year, shall issue all the organic laws of the constitution which may not have been already issued in the extraordinary session to which transitory article No. 6 refers; and it shall give preference to the laws relating to the rights of man and to Articles 30, 32, 33, 35, 36, 38, 107 and the latter part of article 111 of this constitution.

LUIS MANUEL ROJAS,
President.

G. AGUILAR,
First Vice President, General of Division.

SALVADOR GONZALES TORRES,
Second Vice President, General of Brigade.

DEPUTIES.

Aguascalientes: Daniel Cervantes.
Baja California: Ignacio Roel.
Coahuila: M. Aguirre Berlanga, Jose M. Rodrigues, J. E. von Versen, Manuel Cepeda M., Jose Rodriguez (alternate).
Colima: J. Ramirez Villarreal.
Chiapas: Enrique Suarez, Lisandro Lopez, Cristobal Ll. y Castillo, Daniel N. Zepeda, J. Amilcar Vidal.
Chihuahua: M. Prieto.
Distrito Federal: Gen. I. L. Pesqueira, Lauro Lopez Guerra, Gerzayn Ugarte, Amador Lozano, Felix F. Palavicini, C. Duplan, Rafael R. de los Rios, Arnulfo Silva, A. Norzagaray, Ciro B. Ceballos, Alfonso Herrera, R. Rosas y Reyes (alternate), Lic. Francisco Espinosa (alternate).
Durango: Silvestre Dorador, Lic. Rafael Espeleta, Antonio Gutierrez, Dr. Fernando Gomez Palacio, Alberto Terrones B., Jesus de la Torre.
Guanajuato: Gen. Lic. Ramon Frausto, Eng. Vicente M. Valtierra, Jose N. Macias, David Penafior, Jose Villaseñor, Santiago Manrique, Lic. Hilario Medina, M. G. Aranda, Enrique Colunga, Eng. Ignacio Lopez, Dr. J. Diaz Barriga, Nicolas Cano, Lieut. Col. Gilberto M. Navarro, Luis Fernandez M., Eng. Carlos Ramirez Llaca.
Guerrero: Fidel Jimenez, Fid. Guillen, Francisco Figueroa.
Hidalgo: Antonio Guerrero, Leopoldo Ruiz, Lic. Alberto M. Gonzales, Raf. Vega Sanchez, Alfonso Cravioto, Matias Rodriguez, Ismael Pintado Sanchez, Lic. Refugio M. Mercado, Alfonso Mayorga.

Jalisco: M. Davalos, Federico E. Ibarra, Manuel Davalos Ornelas, Francisco Martin del Campo, B. Moreno, G. Bolados N., Juan de Dios Robledo, Ramon Castaneda y Castaneda, Jorge Villaseñor, Gen. Amado Aguirre, Jose I. Solorzano, Francisco Labastida Izquierdo, J. Ramos, Praslow, Lieut. Col. Jose Manzano, J. Aguirre Berlanga, Brigadier Esteban B. Calderon, P. Machorro y Narvaez and Coronel Sebastian Allende J.

Mexico: Aldegundo Villaseñor F. Moreno, E. O'Farril, Guillermo Ordarica, Jose Romero, A. Aguilar, Juan Manuel Giffard, Manuel A. Hernandez, E. A. Enriquez, Donato Bravo Izquierdo, Ruben Marti.

Michoacan: J. Ruiz, Alberto Peralta, Cayetano Andrade, Uriel Aviles, G. R. Cervera, O. Lopez Couto, S. Alcazar R., M. Martinez Solorzano, Martin Castrejon, Lic. Alberto Alvarado, Jose Alvarez, Rafael Marquez, J. Silva Herrera, Amadeo Betancourt, Francisco Mujica, Jesus Romero Flores.

Morelos: Antonio Garza Zambrano, Jose L. Gomez and Alvaro L. Alcazar.

Nuevo Leon: Manuel Amaya, Nifeforo Zambrano, Luis Hizaliturri, Col. Ramon Gamez, Reynaldo Garza, Plutarco Gonzalez.

Oaxaca: Juan Sanchez, Leopoldo Payan, Lic. Manuel Cabrera, Col. Jose F. Gomez and Luis Espinosa.

Puebla: Dr. Salvador R. Guzman, Lic. Rafael P. Canete, M. Rosales, Gabriel Rojano, Lic. D. Pastrana J., Froylan C. Manjarrez, Lieut. Col. Antonio de la Barrera, Mayor Jose Rivera, Col. Epigmenio A. Martinez, Pastor Rouaix, Col. of Engineers Luis T. Navarro, Lieut. Col. Federico Dinorin, Gen. Gabino Bandera Malo, Col. Portirio del Castillo, Col. Dr. Gilberto de la Fuente, Alfonso Cabrera, J. Verastegui. Queretaro: Juan N. Frias and E. Perusquia.

San Luis Potosi: S. M. Santos, Dr. Arturo Mendez, Rafael Martinez Mendoza, Rafael Nieto, Dionisio Zavala, G. A. Tello, Rafael Curiel, Cosme Davila (alternate).

Sinaloa: Pedro R. Zavala, A. Magallon, C. M. Ezquerro, C. Aviles, Emiliano C. Garcia.

Sonora: L. G. Monzon, Ramon Ross

Tabasco: Lic. Rafael Martinez de Escobar, Santiago Ocampo C., and C. Sanchez Magallanes.

Tamaulipas: Pedro A. Chapa, Zef. Fajardo, Emiliano Prospero Nafarrate, F. de Leija.

Tepec: Lieut. Col. C. Liman, Maj. Marcelino Cedano, Juan Espinosa Pava.

Tlaxcala: Antonio Hidalgo, Ascencion Tepal, and Modesto Gonzalez Galindo.

Vera Cruz: Saul Rodiles, Enrique Meza, Benito Ramirez G., A. G. Garcia, E. Cespedes, Josafat F. Marquez, Alfredo Solares, Alberto Roman, Silvestre Aguilar, Angel S. Juarico, H. Jara, Victorio E. Gongora, M. Torres, C. L. Gracidias (alternate), J. de D. Palma, G. Casados, F. A. Pereyra.

Yucatan: Enrique Recio, Miguel Alonzo Romero, Hector Victoria A.

Zacatecas: Adolfo Villaseñor, Julian Adame, Jairo R. Dyer, Samuel Castanon, A. L. Arteaga, Antonio Cervantes, Col. J. Aguirre Escobar.

Secretary: F. Lizardi, deputy from Guanajuato.

Secretary: E. Meade Fierro, deputy from Coahuila.

Secretary: Jose M. Truchuelo, deputy from Queretaro.

Secretary: Antonio Ancona A., deputy from Yucatan.

Subsecretary: Dr. J. Lopez Lira, deputy from Guanajuato.

Subsecretary: Juan de Dios Borquez, deputy from Sonora.

Subsecretary: Flavio A. Bojorquez, deputy from Sonora.

Queretaro de Arteaga, January 31, 1917.

[Telegram.]

MEXICO CITY, February 20, 1917.

SECRETARY OF STATE,
Washington:

Minister for foreign affairs stated that he has no knowledge of any decree affecting rights of foreigners to real estate or mines to which such foreigners already have clear title, but that there are in existence decrees requiring the waiver of nationality in so far as concerns titles now under negotiation or to be acquired in the future. He has promised to send to the embassy copies of such decrees.

He further said that the legislation emanating from the new constitution, with respect to property rights, would, in his opinion, in no wise prejudice present property rights and at the same time called attention to article of the new constitution which provides that no laws may be made retroactive.

FLETCHER.

MEXICO, July 9, 1917.

The SECRETARY OF STATE,
Washington.

SIR: With reference to the department's telegram No. 267, June 16, 3 p. m., relative to the refusal on the part of officials of the Mexican Government to grant permits to oil companies to drill wells acquired under leases of dates subsequent to February 5, 1917, I have the honor to inclose herewith copies and translations of my note verbale of June 22 to the minister of industry and commerce on the subject, and of his reply of June 28. I have the honor to be, sir,

Your obedient servant,

GEORGE T. SUMMERLIN,
Chargé d'Affaires.

[Translation.]

The ambassador of the United States of America presents his compliments to his excellency, the secretary of industry and commerce, and has the honor to state that he has received a telegram from the Department of State of the United States in which he is informed that according to information which has been received, the officials of the Mexican Government decline to grant permission to petroleum companies to sink wells acquired under leases entered into since the 5th of February of the present year, on which date the new constitution was promulgated. It is said that various American companies acquired rights for the sinking of wells during the period between the 5th of February and the 1st of May based on statements of the Mexican Government that the new constitution would not go into effect prior to the 1st of May.

In view of the above, the ambassador, under instructions from his government, requests his excellency, the secretary of industry and commerce, to kindly inform him in the premises, for which he anticipates his thanks.

Mr. Fletcher avails himself of this opportunity to renew to his excellency, Mr. Alberto J. Pani, the assurances of his high and distinguished consideration.

Mexico, June 22, 1917.

[Translation.]

MINISTER OF INDUSTRY AND COMMERCE,
Mexico, June 28, 1917.

MR. AMBASSADOR: I have the honor to reply to your excellency's esteemed letter of the 22d instant, in which you are pleased to inform me that the Department of State of the United States of America, which has been informed that the officials of our Government decline to grant permission to companies to sink wells acquired under leases entered into since the 5th of February of this year, wishes to know the legal status of the said petroleum companies.

It is true that on the 24th instant the department of petroleum of this ministry issued to petroleum agencies, a telegraphic order prohibiting, until further notice, the issuance of permits for the sinking of petroleum wells, on lands leased on dates subsequent to the 5th of February, on which date the new Federal Constitution was promulgated. According to the text of article 27 in relation to the first of the transitory articles of our fundamental law, the direct control of petroleum and of all hydrocarbons corresponds to the nation as from the 1st of May. Leases, or contracts of whatever nature relating to the exploitation of these mineral products, entered into on dates prior to the promulgation of the constitution are presumed to have been made in good faith; but not those which were made subsequent to that date, because the subsoil from which the products are to be secured, and which is the basis of such contracts, does not belong, according to the said law, to the owner of the surface lands, by virtue of the nationalization imposed by the text referred to.

The prohibition declared is, therefore, but a part of the measures taken covering the constitutional text for the purpose of making the same effective.

I renew to your excellency the assurances of my consideration and personal esteem.

A. J. PANI.

[Telegram received.]

MEXICO, August 2, 1917.

SECRETARY OF STATE.

Washington, D. C.

Confidential. In interview with President this morning I informed him that American oil and mining interests were concerned with regard to the attitude of the Mexican Government with reference to the so-called nationalization of these industries. In reply he assured me that they need not be; that it was not the intention of the Mexican Government to take over properties now in exploitation and distinctly stated that there would be no confiscation of these properties.

FLETCHER.

Cable message from the Department of State to the American embassy at Mexico City. No. 716. Paraphrase.]

JANUARY 23, 1918.

Department of State has information that as a result of views of attorney general and attorneys retained by different Mexican secretaries of State alien corporations can not exploit, in any manner, under article 27 of the constitution, the natural resources of the country and that American companies have lately been denied permission to sink oil wells on lands owned by them, regardless of the fact that such permission was invariably granted them previously.

See proper authorities and insist that no such action as that be taken pending the discussion and enactment of new legislation on the subject inasmuch as this action will entail serious consequences to the oil companies and precipitate a crisis in their affairs. You will also call attention to President Carranza's assurance, made to ambassador on August 2, 1917, and reported in embassy's telegram 3511 August 2, 7 p. m., to the effect that the Mexican Government did not intend to absorb the American oil and mining interests under development and that none of these would be confiscated. Remind authorities that present attitude of administrative officials seems to violate the spirit of those assurances and cable at once result of your protest.

POLK, Acting.

[Cable message from American embassy at Mexico City to the Department of State. No. 725. Paraphrase.]

JANUARY 27, 1918.

Your No. 716, January 23, 7 p. m., discussed with Pani, who answers in a memorandum of the 26th that alien corporations have not been prevented from sinking oil wells; that the views of the attorney general and lawyers consulted regarding article 27 does not prevent foreign capital from being invested in the oil business but demands that foreign capital shall submit to the new laws by waiving its nationality and organizing as Mexican corporations; that this does not mean meddling in the affairs of said companies, nor imply confiscation of their properties; that the position assumed by the present Government in its relations with foreign interests has accorded with the assurances given to Ambassador Fletcher by President Carranza, on August 2 last. Moreover that since the new constitution was enacted, the Government has adopted a friendly attitude toward American interests by giving them a chance to adjust their affairs to the conditions which the new law creates, and that any specific complaint which may arise wherein an American company may feel that its interests are endangered will be given careful attention when brought to the attention of his department.

SUMMERLIN.

[Cable message from the Department of State to the American embassy at Mexico City. No. 948. Paraphrase.]

APRIL 4, 1918.

Sr. Rouaix appears to assert that he placed the draft of article 27 of the Mexican constitution before the Constitutional Assembly, and he undertakes to interpret authoritatively the expression "dominio directo" which appears in that article as having application to all subsoil deposits, including petroleum. Those words, according to the statement of Sr. Rouaix, mean that the nation possesses all ownership in deposits of this character, both "private" and "absolute and original," and he adds that the constitution having been promulgated conflicting laws were at once repealed.

thereby, including naturally those which grant to the owner of the surface the right to deposits under the surface. The fact that Sr. Rouaix is connected with the Mexican Government, and the further fact that the nature of his interpretation is authoritative, seemed clearly to point out the correctness of the view set forth in the telegram of the Department of State dated March 19, noon, No. 895, that the petroleum decree, as promulgated, constitutes an attempt of an arbitrary character to separate rights as to surface and subsurface property, thus taking from owners, without due process of law, their property and with disregard to the provision of the constitution that "private" property shall not be expropriated except by reason of public utility and by means of indemnification.

You will communicate the foregoing to the Mexican Government in a note supplementing the representations you have made in virtue of the instructions given in department's No. 895, and you will make the further statement that if, as would seem to be the case, Sr. Rouaix is the spokesman of the Government of Mexico, this Government, acting on behalf of American citizens who have expended large sums of money in securing petroleum lands in Mexico, and who placed their reliance, as they were justified in doing, on the Mexican laws granting ownership of deposits under the surface to the owners of the surface, protests emphatically and solemnly against the petroleum decree, declaring it to be an act of despoilation and confiscation, and in the premises reserves all rights.

No. 815.

EMBASSY OF THE UNITED STATES OF AMERICA.

Mexico, March 1, 1918.

The honorable the SECRETARY OF STATE.

Washington.

SIR: Continuing my No. 812 of February 27, 1918, inclosing the unofficial text of the presidential decree fixing taxes on petroleum lands, and confirming my telegram No. 820 of March 1, 7 p. m., I have the honor to inclose herewith copy of the official text of said decree as published in the *Diario Oficial* under date of February 27, accompanied by an English translation.

I have the honor to be, sir,

Your obedient servant,

HENRY P. FLETCHER.

[Enclosure No. 1. Despatch No. 815.]

Venustiano Carranza, constitutional President of the United States of Mexico to the inhabitants, know ye that, using the extraordinary powers in the ministry of finance vested in me by Congress, I have issued the following decree:

ARTICLE 1. A tax is established on oil lands and on oil contracts executed prior to 1st May, 1917, having for their object the leasing of lands for the exploitation of carbides of hydrogen or permission to do so under an onerous title.

ART. 2. The annual rentals stipulated in the contracts cited in article 1 shall be taxed in the following proportion:

- (a) Those of 5 pesos per annum per hectare or less, with 10 per cent of their value.
- (b) Those of more than 5 pesos and less than 10 per hectare and per annum, with 10 per cent the first 5 pesos and with 20 per cent the rest.
- (c) Rents greater than 10 pesos per annum per hectare, with 10 per cent the first 5 pesos, with 20 per cent the next 5 pesos, and with 50 per cent anything exceeding the first 10 pesos.

ART. 3. All royalties stipulated in oil contracts are charged with 50 per cent of their value, in cash or in kind, as may be determined by the ministry of finance.

ART. 4. Properties worked by surface landowners are charged with an annual rental of 5 pesos per hectare and besides with a royalty of 5 per cent of the products, in cash or in kind, as may in each case be determined by the minister of finance.

ART. 5. The ministry of finance shall advise taxpayers during the last fortnight of each bimonthly period if they are to pay in cash or in kind the royalty corresponding to the bimonthly production ending in that fortnight.

ART. 6. The taxes fixed in article 2 shall be paid at the local stamp offices in the jurisdiction the lands belong to and should such lands belong to various jurisdictions at the office appointed by the finance ministry, after consulting the taxpayer. This payment shall be made in advance in the first fortnight of each bimonthly period.

ART. 7. The royalties payable in cash shall be deposited at the office cited in the preceding article on the same dates set therein at the end of each two months.

ART. 8. Payments of amounts mentioned in articles 2, 3, and 4 shall be made, using special stamps marked "Oil revenues."

ART. 9. Payers of taxes established in this law must present within the first fortnight of each bimonthly period a statement according to the authorized form of the general stamp office, giving rentals, production, and other necessary data for assessing taxes. These statements shall be made before the stamp offices referred to in article 6.

ART. 10. Transfer of contracts chargeable under this law shall be notified to the same offices mentioned in article 6 within 30 days after execution. Besides this obligation the contracting parties must immediately notify the general stamp office through the notaries before whom such transactions are effected.

ART. 11. All amounts corresponding to royalties or their fractions payable in kind shall be delivered at any of the storage stations belonging to the operator, as desired by the ministry of finance, which shall designate the place of delivery simultaneously with this form of payment.

ART. 12. When the royalties or fractions are payable in cash they shall be estimated taking the fiscal values of the products at ports of shipment as fixed by the bimonthly tariffs of the ministry of finance and deducting the cost of transportation by pipe line, according to the distance of the field of production from the port of shipment and the average public tariff authorized by the ministry of industry, commerce, and work for pipe lines in the district under consideration. The tax department of the ministry of finance must duly advise the local stamp offices as to the aforementioned values, so that such offices may judge the returns.

ART. 13. For oil lands not actually paying rent 5 pesos per annum per hectare shall be paid and for those at present not paying royalty 5 per cent of the products. Payments mentioned in this article shall be made under the same conditions which this law provides for other taxpayers.

ART. 14. Landowners who desire to work for their own account subsoil petroleum deposits and have not made any oil contract, as well as the last cessionaries of the right of exploitation in contracts mentioned in article 1 of this law, shall make a statement within three months from the promulgation hereof, with certified copies of their contracts of purchase, lease or of any other description, to the ministry of industry, commerce, and work, which shall revise such statements and reject those concerning baseless information. During this term all oil properties will be considered vacant which have not been registered in the form prescribed in this article, their denouncement and exploitation being governed by the regulations to be issued which shall determine those liable for the payment of taxes.

ART. 15. Contracts referred to in this law must be embodied in public deeds and those executed in private ones shall only be valid when the importance of the business does not require the formality of a public deed and which by other means of unquestionable evidence are shown to have been really executed on the dates indicated with clauses therein contained.

ART. 16. The royalties established in this law, fractions of the royalty fixed in article 3, the tax on rentals fixed in article 2, and the other rentals established in this same law shall be paid at the local stamp offices by the operators or the last cessionaries to the right of exploitation who when making payments to intermediaries or owners shall deduct the proportional part of the taxes corresponding to the latter so that the rentals and Federal royalties be distributed in the same proportion as the rentals and royalties now established on oil lands in the various existing contracts for oil exploitation.

ART. 17. Taxes not paid in the terms fixed by this law shall be subject to a fine of 10 per cent for each month of delayed payment.

ART. 18. The proceeds of this tax shall be distributed as follows: Sixty per cent to the Federal Government; 20 per cent to the State governments; 20 per cent to the respective municipalities, taking into account the situation of the lands. When they are in two or more municipalities or two or more States the finance ministry shall distribute the tax, taking into consideration the area in each jurisdiction, situation of the wells and their output, and other circumstances.

ART. 19. Transgressions of the precepts of this law shall be punished by fines varying from 50 to 1,000 pesos, according to the seriousness of the case, which will go to the courts should there be fraud to prosecute.

ART. 20. This law will become effective when promulgated.

Mexico, February 19, 1918.

[From American Embassy at Mexico City to Mexican Foreign Office.]

APRIL 2, 1918.

EXCELLENCY: The decree of the 19th of February, 1918, which was published in the *Diario Oficial* on the 27th of February, last, establishing a tax on oil lands and on oil contracts executed prior to the 1st of May, 1917, etc., has been brought to the attention of my Government, and I am under instructions to state to your excellency that my Government has given most careful consideration to the effect which this decree, if carried into operation, will have upon American interests and property rights in Mexico.

The said decree provides for the imposition of certain taxes on the surface of oil lands, as well as on the rents, royalties, and production derived from the exploitation thereof. It is noted also that among the provisions for the collection of such taxes is one requiring that payment in kind shall be delivered to the Mexican Government at the storage stations of the operators. Articles IV, XIII, and XIV of the said decree seem to indicate an intention to separate the ownership of the surface from that of the mineral deposits of the subsurface, and to allow the owners of the surface a mere preference in so far as concerns the right to work the subsoil deposits upon compliance with certain conditions which are specified. While the United States Government is not disposed to request for its citizens exemption from the payment of their ordinary and just share of the burdens of taxation so long as the tax is uniform and not discriminatory in its operation, and can fairly be considered a tax and not a confiscation or unfair imposition, and while the United States Government is not inclined to interpose in behalf of its citizens in case of expropriation of private property for sound reasons of public welfare, and upon just compensation and by legal proceedings before tribunals, allowing fair and equal opportunity to be heard and giving due consideration to American rights, nevertheless, the United States can not acquiesce in any procedure ostensibly or nominally in the form of taxation or the exercise of eminent domain, but really resulting in confiscation of private property and arbitrary deprivation of vested rights.

Your excellency will understand that this is not an assertion of any new principle of international law, but merely a reiteration of these recognized principles which my Government is convinced form the basis of international respect and good neighborhood. The seizure or spoilation of property at the mere will of the sovereign and without due legal process fairly and equitably administered, has always been regarded as a denial of justice and as affording internationally a basis of interposition.

My Government is not in a position to state definitely that the operation of the aforementioned decree will, in effect, amount to confiscation of American interests. Nevertheless, it is deemed important that the Government of the United States should state at this time the real apprehension which it entertains as to the possible effect of this decree upon the vested rights of American citizens in oil properties in Mexico. The amount of taxes to be levied by this decree are in themselves a very great burden on the oil industry, and if they are not confiscatory in effect—and as to this my Government reserves opinion—they at least indicate a trend in that direction. It is represented to the State Department that the taxation borne by the oil fields of Mexico very greatly exceeds that imposed on the industry anywhere else in the world. Moreover, it would be possible under the terms of the decree, in view of the fact that the Mexico Government has not storage facilities for the taxes or royalties required to be paid in kind, by storing the same in the tanks of the operators, to monopolize such storage facilities to the point of the practical confiscation thereof until emptied by order of the Mexican Government or by the forced sale of the stored petroleum to the operators at extravagant rates.

It is, however, to the principle involved in the apparent attempt at separation of surface and subsurface rights under this decree, that my Government desires to direct special attention. It would appear that the decree in question is an effort to put into effect as to petroleum lands, Paragraph IV of Article 27 of the constitution of May 1, 1917, by severing at one stroke the ownership of the petroleum deposits from the ownership of the surface, notwithstanding that the constitution provided that "private property shall not be expropriated except by reason of public utility and by means of indemnification." So far as my Government is aware, no provision has been made by your excellency's Government for just compensation for such arbitrary divestment of rights nor for the establishment of any tribunal invested with the functions of determining justly and fairly what indemnification is due to American interests. Moreover, there appears not the slightest indication that the separation of mineral rights from surface rights is a matter of public utility upon which the right of expropriation depends, according to the terms of the constitution itself. In the ab-

sence of the establishment of any procedure looking to the prevention of spoilation of American citizens and in the absence of any assurance, were such procedure established, that it would not uphold in defiance of international law and justice the arbitrary confiscations of Mexican authorities, it becomes the function of the Government of the United States most earnestly and respectfully to call the attention of the Mexican Government to the necessity which may arise to impel it to protect the property of its citizens in Mexico divested or injuriously affected by the decree above cited.

The investments of American citizens in the oil properties in Mexico have been made in reliance upon the good faith and justice of the Mexican Government and Mexican laws, and my Government can not believe that the enlightened Government of a neighboring Republic at peace and at a stage in its progress when the development of its resources so greatly depends on its maintaining good faith with investors and operators, whom it has virtually invited to spend their wealth and energy within its borders, will disregard its clear and just obligations towards them.

Acting under instructions, I have the honor to request your excellency to be good enough to lay before His Excellency the President of Mexico, this formal and solemn protest of the Government of the United States against the violation or infringement of legitimately acquired American private property rights involved in the enforcement of the said decree.

Accept, excellency, the renewed assurance of my highest consideration.

HENRY P. FLETCHER.

[Paraphrase.]

DEPARTMENT OF STATE,
Washington, D. C., August 12, 1918.

Rush.

AMERICAN EMBASSY,
Merico City.

1357. As immediate action is necessary, you are instructed to seek an interview with President Carranza for the purpose of submitting the following request for extension.:

"The American Government has been advised of the results of the conferences that have been taking place between representatives of the Mexican Government and representatives of certain American citizens and corporations whose rights and properties are affected by the following decrees. The decree of February 19, 1918, that of May 18, 1918, published the 21st of May, the decree of July 8, 1918, published the 13th of July, and certain fiscal orders which have reference to the disposition of oil lands and oil contracts and the taxation thereof. It is also advised that two new decrees have been issued by your excellency: That of July 31, 1918, published August 5, which purports to modify or repeal the decrees of February 19, 1918, and May 18, 1918; and the second, date of which is unknown, published on August 10, which purports to modify or repeal the decree of July 8, 1918. The American Government has not had an opportunity to examine the provisions or consider the effect of the last two decrees that are mentioned, for it appears they have only been published within the last two weeks.

"As I have not received an answer to my note of April the 2d, I am instructed to draw your excellency's attention to that note and to point out again the concern with which my Government entertains as to the possible effect of these various decrees upon the vested rights in Mexico of American citizens in oil properties. And to further direct your excellency's attention to the necessity which may arise, in order to protect the property of its citizens in Mexico, divested or injuriously affected by the said decrees, to impel the United States to protect the property of its citizens.

"It is understood by my Government that the date upon which these decrees will go into effect is August 15, 1918, and I am therefore instructed to request your excellency to postpone that date and suspend all operation of said decrees in order that the American Government may examine carefully and consider their provisions, purpose, and results as affecting rights and properties of American citizens."

Telegraph results.

LANSING.

[Paraphrase, telegram.]

MEXICO, August 13, 1918.

SECRETARY OF STATE, Washington.

Rush, 1382, August 13, 1918.

I presented in writing the request contained in your telegram 1357, August 12, to the President at an interview this afternoon. In reply he stated that it was impossible to postpone operation of the petroleum decrees further. In the fundamental question involved, i. e., the conflicting rights of the Government and private individuals to the subsoil products, he explained that the decrees were fiscal legislation merely, to pass laws that would give effect to article 27 of the constitution and to legislate as to the above question was the province of Congress. He stated that if the difficulty could not be settled except by war or intervention he was sorry, but was prepared to confront this alternative. Apparently he did not like the reference in the last communication and in my note of April 2 to the possibility of the United States Government having to protect the property of its citizens. In reply I stated that I believed and hoped that matters would not come to such a pass. He agreed and stated that the interested parties should appeal to the courts and that if and after legal remedies should fail there still remained the diplomatic channel.

In the event the American citizens concerned should feel that their legally acquired rights should not have received due recognition in the Mexican courts resort might further be had to arbitration or other peaceful means to decide the question at issue and referred to existing treaties between our two countries, and I informed him that I thought it would have a reassuring effect if I could inform the department of the above. The President replied that he would be willing to exhaust every peaceful means of settlement before resorting to force. He stated that the Mexican Government could not admit any interference in respect to the present matter, as it was purely fiscal, and he so informed the British Government. He did not deny that the decrees reached article 27 in their basic relation and apparently was anxious to stress the point that they were purely fiscal legislation.

He believed that companies should file their manifestations under protest if they so wished and without prejudice, he stated.

I again expressed my confidence that the question could and would be settled peaceably and satisfactorily, and he replied in the same spirit.

FLETCHER.

EMBASSY OF THE UNITED STATES OF AMERICA.

No. 1312.

Mexico, August 14, 1918

The SECRETARY OF STATE, Washington.

SIR: Continuing my dispatch No. 1283 of August 7, 1918, on the subject of the petroleum decrees recently issued by the Mexican Government, and confirming my recent telegrams, I have the honor to report the developments of the situation in the past weeks, as follows:

On August 13 the foreign office made public its reply to the note of the British Government dated April 30. The substance of this reply was telegraphed immediately to the department and the text and translation will be found in my dispatch No. 1306 of August 14.

Your telegram No. 1237 of August 12, 3 p. m., instructing me to seek an immediate interview with President Carranza and request a further postponement of the operation of the recent petroleum decrees, reached me yesterday morning.

I put this request in writing—copy inclosed—of which I also made a translation and arranged for an interview with President Carranza at 6 o'clock yesterday afternoon. The interview lasted half an hour and the principal points and results thereof were immediately telegraphed to the department.

On opening the conversation, I explained to the president, that while the attorneys representing the various American citizens interested in the oil industry in Mexico had reported the result of their conferences with the representatives of the Mexican Government, to their principals and more recently to the Department of State, nevertheless, my Government had not had sufficient time to study the various decrees and to determine the effect which they would have upon American interests and property rights in Mexico, and that I had been instructed to present to him a request for postponement of the operation of the said decrees and handed to him the note above referred to in translation. The president read it carefully and replied that as a result of the conferences held between Messrs. Garfield and Rhoades and Messrs. Pani and Nieto, the Mexican Government had made a number of modifications in the petroleum

decrees favorable to the companies concerned; that the decrees were merely fiscal; that it was the province of the Congress, which would meet on the 1st of September, to pass the laws which would put article 27 into effect, and that he believed such legislation—which would originate with him or with some member of Congress—would be one of the first subjects to be taken up by the legislature; that he had gone as far as he could in the matter, and could not further postpone the operation of the petroleum decrees.

He referred with evident displeasure to the part of the request which mentioned the necessity which may arise to impel the United States to protect the property of its citizens in Mexico and said that this was merely fiscal legislation, and, as he had pointed out in his reply to the British Government, Mexico in the exercise of its sovereign rights could not admit interference of foreign Governments in the matter, and said that if this meant war or intervention he was prepared to confront this alternative, however regrettable. I replied that I saw no immediate danger of matters coming to such a pass and referred to the peaceful means which, in my opinion, should and would be exhausted before this alternative need be met. He agreed in this and said that the parties interested should appeal to the courts, and that if and after the ordinary legal remedies should have been exhausted they still should feel aggrieved, there remained always the diplomatic channel through which to attempt settlement. Following that line of thought, I told him that I believed it would have a reassuring effect if I could say this to the department, and that every legal and peaceful means would be exhausted to reach a settlement of the judicial question involved, and I referred to the existing treaties between Mexico and the United States in this connection. The President replied that he was not a partisan of force, and stated his willingness to adopt peaceful means of settlement.

Throughout the conversation the President stressed the point that the decrees in question constitute merely fiscal legislation, and that he had not attempted in the decrees to put into practice and effect the provisions of the constitution relating to subsoil ownership, and that the congress only had this power and would decide the conflict with reference to subsoil ownership as between the nation and private individuals. I made it clear, however, that in my opinion the decrees were based on Article XXVII of the constitution, and that individual owners feared that compliance with the provisions of the said decrees might prejudice their legitimately acquired rights. He then spoke of the filing of manifestations and stated that in his opinion they should be filed; that they could be filed under protest if the companies so desired and without prejudice to their rights.

In conclusion I referred to the delicacy of the situation and to the very short time which would elapse before the decrees were put into effect, and expressed the hope that no precipitate action would be taken by the Mexican Government which would interfere with the peaceful, orderly, and judicial settlement of the matter in dispute, and my personal hope and belief that with patience and good will on both sides a satisfactory settlement would be reached. The President replied in the same spirit. The interview was extremely cordial throughout. The only way in which the President showed the slightest annoyance was in connection with what he considered a threat of the United States Government to protect its citizens in Mexico.

This morning there was published in all the local papers a new petroleum decree dated the 12th, providing that petroleum lands now under exploitation or acquired after survey would not be open to denouncement after the 15th instant, even though not manifested as prescribed by the petroleum decrees, and that such nonmanifested lands would pay an annual rental of 5 pesos per hectare and a royalty of 5 per cent on production.

I am informed that this new decree was prepared last night in the palace and antedated. I telegraphed this morning a translation of this last decree in full—in view of the fact that there remain only two days in which manifestations may be filed—to have the complete text.

Up to the present very few of the companies and individuals interested have filed the manifestations called for by the decree.

I might add that in the course of my interview with the President yesterday, he said that he was preparing a reply to my note of April 2, more or less along the lines of his reply to the British Government.

I have the honor to be, sir,

Your obedient servant,

HENRY P. FLETCHER.

[Inclosure No. 1, dispatch No. 1337.]

E. GARZA, PEREZ SUBSECRETARY, BY REASON OF ILLNESS OF THE SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO HENRY P. FLETCHER, AMERICAN AMBASSADOR, MEXICO CITY.

[Translation.]

2772.

MEXICO, August 17, 1918.

By direction and under instructions from the President of the Republic, I have the honor to reply to note No. 290 which your excellency addressed to the Government of the Republic under date of April 2, this year, with regard to the decree of February 19 which established taxes on petroleum lands and petroleum contracts as well as to that addressed to the said high official on the 13th of August, last. In the first note your excellency presents through me to the President of the Republic a formal and solemn protest of the Government of the United States against the violation of private property rights legitimately acquired by American citizens, which it is considered the application of the decree mentioned will bring with it.

I must not conceal from your excellency the fact that it has been a matter of surprise for the Mexican Government to receive a diplomatic representation with reference to an act proceeding from the legitimate exercise of its sovereignty, such as the issuance of a decree, and that the said representation contained the proposition of affording undue protection to foreign citizens and interests, and which, if made good, would have the effect of placing them in a better and more privileged situation than Mexicans themselves.

Your excellency will understand that neither the one nor the other can be consented to by a government or a people conscious of its dignity and high duty of preserving unblemished the national sovereignty.

Of the principal questions covered by your excellency's note referred to one relates to the tax created by the decree on oil lands and contracts and another to the system of real property contained in article 27 of the political constitution of the Republic.

Now, in as much as the right of decreeing taxes is an attribute of internal sovereignty and the organization of property in the country is an attribute of territorial sovereignty, neither of the two questions can be made the basis of diplomatic representation, and less still of a formal and solemn protest such as that which your excellency makes in the name of and under instructions from your Government, as both of these things imply a real diplomatic intervention in the internal affairs of Mexico. The Mexican Government has not recognized and will not recognize that any country has the right to interfere in any form in its internal affairs nor even of protesting against acts exclusively within the exercise of its sovereignty.

The tax has been established by a general law which affects Mexicans and foreigners and is applicable in any section of the country where a petroleum deposit may exist or may be discovered. Nevertheless, your excellency announces that the Government of the United States might be obliged to protect the interests of its citizens from the application of said law; and while the character of this protection is not stated, it undoubtedly tends to place foreigners in Mexico in a privileged position, which your excellency will understand is contrary to every rule of right and wounds the dignity of the Mexican people.

The protection of national and foreign interests within the country is a duty and at the same time a faculty of the Mexican Government exclusively. By announcing protection by your excellency's Government, if necessity arises, the idea is clearly revealed of obtaining undue preference in favor of American interests and citizens, this fact being made more evident still when it is considered that Mexican companies and proprietors have made no move to escape the tax and that their recourse in case they believe it to be excessive, is to appeal to the courts of the Republic demanding protection and amparo, and this is the only means which foreigners also should adopt.

The Mexican Government can not consent to any measure whatsoever which the American Government may purpose to put into practice to place its citizens in a more favored situation than that of Mexicans in their own country, and in so doing is sure of the unanimous support of public opinion and of the nation in indorsing respect for its sovereignty.

The criterion of the Mexican Government in this matter is not an innovation in international law, but the simple application of the principle of the equality of nations, frequently forgotten by strong governments in their relations with weak countries. It is furthermore a principle which the President desires to see implanted and respected in the diplomatic, mercantile, and all other relations which may be established between countries, and which he himself has proclaimed on repeated occasions, in the following terms:

"No individual should aspire to a better situation than that of the citizens of the country to which he goes: legislation should be general and abstain from distinctions on account of nationality. Neither the power of nations nor their diplomacy should serve for the protection of particular interests or to exert pressure upon the governments of weak peoples with the end of obtaining modifications of laws which are disagreeable to the subjects of a powerful country."

In fiscal matters, this amounts to a declaration of perfect equality of nationals and foreigners in the collection of taxes decreed by the public power of a country.

The protection which Your Excellency states the Government of the United States may find itself in the necessity of extending to its nationals and which is ratified in the note of August 13, constitutes a threat which is in contrast with the pacific ideals of His Excellency President Wilson and does not concord with the reiterated manifestations of friendship and respect which he has proclaimed in regard to Mexico.

Whatever may be the intention of the American Government in this respect, the Mexican Government believes it necessary to state that it will not accept the interference of any foreign power in the arrangement of its internal affairs and that it will not admit any proceeding which under the pretext of protection to foreign interests wounds the national decorum or impairs the exercise of its sovereignty.

The issuance of the decree of February 19 is an act which of itself can not form the basis of diplomatic representations. If your excellency's Government does so it is because it believes the said decree deprives American citizens of acquired rights and the seizure or spoliation of these rights by the mere will of the sovereign without due process of law has always been held as a denial of justice and sufficient cause for diplomatic representations.

Your excellency states that this seizure or spoliation arises from the separation which our law makes between the surface and subsoil rights, which amounts to a denial of justice.

A denial of justice consists in that a judge refuses to impart justice when it is asked of him, or that any authority does not, either from negligence or a voluntary negative, pronounce its decision. In general language a denial of justice is every negative to accord to a person that which is his due.

The Mexican Government has no knowledge up to the present that either American citizens or anyone else who believe themselves prejudiced by the decree, have resorted to ordinary legal methods or to the appropriate authorities, for relief against the petroleum tax, since the discussions to which your excellency's second note refers were of a private character.

The petroleum tax embraces all the requisites which science assigns to every impost, but if it be considered that its application is unjust or the amount excessive, our laws assure the means of defense and our tribunals are prompt to decide as to the application of said laws. There is an individual guaranty established in article 22 of our political constitution which prohibits the confiscation of property, and this is equally afforded by article 17 of the same fundamental code, which provides that the courts shall be open for the administration of justice at such times and under such conditions as the law may determine. Nevertheless, the American interests which your excellency represents and defends have not resorted to the established legal remedies in order that the proper authority should decide with regard to the injuries and confiscations which they believe themselves to have suffered; and yet your excellency bases the diplomatic representation made in the name of your Government on a "denial of justice," which really has not taken place.

The seizure or spoliation of property by the mere will of the sovereign is exactly one of the things which our constitution prohibits and condemns in article 14. If such cases of spoliation or confiscation should be proven and our tribunals should deny judgment, or having pronounced judgment favorable to the complainant, the Mexican Government should refuse to respect the judgment, then there would be a denial of justice and reason for diplomatic representations. In the case which gave rise to your excellency's note, the courts have not yet intervened, and the expression "denial of justice," which is used as a basis for the representation, must have been taken in a sense distinct from that commonly assigned to it in international law.

The American doctrine in this respect is conclusive. It defines and considers the tax as a necessary attribute of sovereignty and teaches that as long as the impost is uniform in its execution and can be considered as an impost and not as a confiscation or arbitrary imposition, no representation may be made to a foreign government in aid of the foreigners who may be affected, inasmuch as the only safeguard against the abuse of the power of levying taxes is found in the structure of the Government itself, and reclamations or complaints on account of an excessive tax are properly questions within the competency of the local tribunals.

As a matter of fact, the tribunals alone are capable of passing judgment upon the equality of distribution of the tax and the other requisites, and it is not just that the very foreigners who are affected should judge and decide such questions. Otherwise it would be sufficient, in order to escape from a legitimately decreed impost, to allege the pretext that it is confiscatory. Furthermore, it is customary in all countries that diplomatic action should be the last to be exercised and that only after ordinary means have been exhausted.

Your excellency affirms that investments of American citizens have been effected under the guaranty of the good faith of the Mexican Government, which virtually has invited them to make such investments; and that it can not believe that now this Government will disregard its obligations, now that the country finds itself at peace and at a stage of progress.

Your excellency has interpreted faithfully in this part of your note the disposition of the Mexican Government with respect to foreign investments; since its conduct and intentions have been and will be in the future, the conciliation of foreign interests with the progress of the Republic and its legitimate rights, by means of a perfect equality before the law of Mexicans and foreigners.

Assuredly American interests are worthy of every protection and the Mexican Government recognizes that they may contribute to the industrial development of the Republic, particularly in the petroleum industry, and in precisely this spirit has the decree of February 19 been issued (aside from the fundamental question which consists in putting into practice the dominion of the Nation over the subsoil) because, respecting the existing situation, it impedes and prevents speculations in petroleum lands prejudicial to the operators and to the interests of the country.

With reference to the request which, on instructions from your Government, your excellency makes in the second note, to the effect that the petroleum decrees referred to be not made effective on August 15, the matter need not be specially considered, inasmuch as the time for making and the form of manifestations provided for by the said decree had been modified previously to its presentation.

The Mexican Government desires to live in peace and friendship with all nations and in good harmony with your excellency's Government. In order to accomplish this, it will endeavor to respect the dignity and the interests of foreigners and has no idea of passing legislation designed to molest a friendly country or its citizens. These may, with all confidence, continue to rely upon the laws and institutions of the Republic.

The Mexican Government hopes it has dissipated with these explanations, all ground for misunderstanding between two friendly peoples and all apprehension or fear on account of American interests invested in Mexico; and relying upon the profound knowledge which your excellency personally has of existing conditions, is certain your excellency will make plain to the Department of State the true object of the fiscal dispositions which brought forth your note, and the Mexican Government's reason for maintaining the perfect equality of nationals and foreigners before the law.

I renew to your excellency the assurances of my highest consideration.

By reason of illness of the secretary, the subsecretary:

E. GARZA PEREZ.

No. 799.

DECEMBER 13, 1918.

The Hon. HENRY P. FLETCHER,
American Ambassador, Mexico City.

SIR: The department acknowledges the receipt of your No. 1337, of August 21, 1918, with which you inclosed copy of a translation of note No. 2772, of August 17, 1918, from the foreign office, replying to your embassy's note of April 12, 1918, protesting against the so-called petroleum decree of February 19, 1918.

You state that amparo proceedings have been instituted in the courts of Mexico against the recent petroleum decrees; that you have been informed by a representative of the American oil companies that the proceedings are progressing satisfactorily, and that there is hope of obtaining what would amount to a preliminary injunction in our procedure, and that the issuance of the decree of August 12, 1918, has relieved the situation and removed the danger of arbitrary action against the companies by the Mexican Government.

You further stated that a new Congress would convene on the 1st of September, and that it would not be surprising if an entirely new petroleum law were proposed by the Government almost immediately; that should the decision of the courts uphold the contention of the Mexican and foreign companies and citizens as against the Government, the troublesome question of enforcing retroactively article 27 of the constitution would be removed and the way would be open for the Mexican Government to proceed along more moderate and more just lines with the so-called nationalization of petroleum producing lands.

You added that at any rate an acute crisis in the petroleum matter had been avoided and that the indications were that this difficulty, which seriously threatened the good relations between Mexico and the United States, would be adjusted by peaceful and legal methods.

The department is pleased to learn of the improvement in the situation, which seems to render unnecessary at the present time further representations in the way of protest to the Mexican Government.

However, the department deems it advisable at this time to take notice of certain statements contained in the note of the foreign office copied with your dispatch, both because silence on the part of this Government with respect to some of these statements might lead the Mexican Government to suppose, contrary to the fact, that this Government was disposed to acquiesce therein, and also since it seems entirely possible that the Mexican Government is still bent upon putting into effect by Executive decree, or by legislation, the confiscatory features with respect to oil-bearing lands, of article 27 of the constitution and the petroleum decree of February 19, 1918.

Therefore, you will please take suitable occasion to reply to the Mexican note of August 17, 1918, substantially as follows:

The Government of the United States has noted with pleasure that, as anticipated by it, the Mexican Government has the intention to conciliate foreign interests and that it regards American interests as worthy of every protection, recognizing that they contribute to the industrial development of the Republic of Mexico, particularly in the petroleum industry. The Government of the United States heartily reciprocates the expressed desire of the Mexican Government that the two nations live in peace, friendship, and good relation, and welcomes the statements that the Mexican Government will respect the dignity and the interest of foreigners and has no idea of enacting legislation designed to molest a friendly country or its citizens.

With these views animating the Mexican Government and their hearty reciprocation by the Government of the United States, it would seem that there should be no difficulty in adjusting in an amicable fashion any matters of difference between the two Governments.

The Government of the United States is not unappreciative of the disposition of the Mexican Government to translate on its part these friendly sentiments into action by the issuance of the decree of August 12, 1918, which tends to remove the danger, therefore feared by the United States, of arbitrary proceedings against foreign oil interest, and the Government of the United States is encouraged by this action to believe that the entire petroleum question, as it affects American interests, will at a not distant date reach an adjustment equitable to all parties concerned.

While the present situation with respect to the matters which have been in difference between the Mexican Government and the petroleum interests, as the Government of the United States understands the matter, is in an orderly process of developing itself, with a strong possibility that the outcome will be a satisfactory adjustment between the interested parties, the Government of the United States considers that it would be appropriate for it to state briefly at this time, with the object of clarifying the situation and of avoiding all possibility of misunderstanding, its views with regard to certain allusions and statements contained in the note of the Mexican foreign office, No. 2772, of August 17, 1918.

The Government of the United States regrets to observe the critical attitude which the Mexican Government has assumed toward the efforts made by this Government through diplomacy to protect its citizens in Mexico from what appeared to it to be imminent spoliation of their vested rights in Mexico, and can not but believe that this attitude is based on a partial understanding of the causes and grounds leading this Government to express its views in its note to the Mexican Government of April 2, 1918. In justice to itself, the United States feels that it is entitled to point out that its diplomatic interposition in this case was consequent upon and flowed directly from the policies and actions of the Mexican Government itself, notwithstanding the unremitting efforts of the United States to explain informally the dire effects of these measures upon American interests in the petroleum fields. Moreover, the representations which the Government of the United States had made with respect to the Mexican petroleum decree of February 19, 1918, were not in any way inspired, as the Mexican Government appears to suppose, by the desire to obtain undue protection to American citizens and American interests, but solely to obtain for them that protection to which they seem to be entitled under the generally accepted rules and principles of international law.

The purpose of the Government of the United States was to call the attention of the Government of Mexico, with such earnestness as the critical situation of American interests seemed to demand, to what seemed to the Government of the United States an unwarranted course of action, against which ordinary legal proceedings might fail to provide a sufficient and timely remedy, with the confident belief that upon consideration of the views of this Government, the Mexican Government would appreciate

the condition in which such American citizens would be placed by the action apparently contemplated against them and that the Mexican Government would, therefore, take such prompt steps as would relieve the condition and render unnecessary any further controversy over the matter. The Mexican Government's mistaken views of the attitude of the Government of the United States in these respects is believed to have been brought about by the conception which the Mexican Government asserts it has of the duties and obligations of a State to foreigners in its country. The Mexican Government appears to be of the opinion that so long as a State does not discriminate against foreigners and in favor of its own citizens, it is entitled to mete out to foreigners such treatment as it may desire; that foreigners must submit to their treatment, and that their Governments have no right of interposition to protect them against it, should it be unduly onerous and unjust, until local remedies have been exhausted in vain.

Applying this view to the petroleum situation the Mexican Government seems to contend that the decree regulating ownership of mineral deposits is a matter of internal and territorial sovereignty applicable to Mexican citizens and foreigners alike and therefore that there is afforded no rightful basis for interposition by the Governments of interested foreigners, even though the result of the decree should be, as was apparently its purpose, to deprive such foreigners of property rights which they had legitimately acquired under the laws of Mexico.

The Government of the United States believes that this contention of the Mexican Government and the basis upon which it seems to rest find no sound foundation in the principles of the law and practice of nations which in the past have been generally accepted by the Governments of the world, and that it could not, therefore, be fairly called upon to recognize or acquiesce in them in opposition to the usage of nations. The Government of the United States is firmly of the opinion that the great weight of international law and practice supports the view that every nation has certain minimum duties to perform with regard to the treatment of foreigners, irrespective of its duties to its own citizens, and that in default of such performance, it is the right of the foreign Government concerned to enter protest. Not the least of such duties, as the Government of the United States believes, is to refrain from measures resulting in confiscation of the vested property rights of foreigners, acquired in good faith and in accordance with the laws of the country in which the property is situated. While the Mexican Government may see fit to confiscate vested property rights of its own citizens, such action is in equity no justification for the confiscation of such rights of American citizens and does not estop the Government of the United States from protesting on behalf of its citizens against confiscation of their property.

To resist unjust encroachment upon their rights by the governmental agencies of their country, Mexican citizens are armed with a weapon which they may presumably use in addition to judicial remedies. I refer to the orderly processes by which the free people of a democracy may assert their will in respect of governmental policies. But Americans in Mexico have no such recourse. Aside from judicial remedies, they are limited to an appeal for the protection of their Governments. If they are to be denied that right of appeal they are clearly placed in a position of disadvantage as compared with citizens in Mexico who have both political and legal remedies at their command to right their wrongs. If the right of protection of this Government is to be denied, then one of the means of obtaining that parity of treatment to which the Mexican Government admits Americans are entitled is plainly destroyed.

The United States is ready to admit that legal remedies should as a rule be tried by its citizens to obtain reparation for or relief from wrongful actions against their property, and it is understood that the American interests affected by the petroleum decree are resorting to such remedies, but the United States can not admit that diplomatic representations is always premature if made on behalf of its citizens before they have exhausted their legal remedies in the courts of Mexico.

If it were necessary to substantiate this proposition, many instances of diplomatic action, before or during legal proceedings, might be cited from the practice of nations, in case of irreparable damage or highly arbitrary action, particularly where it is in the power of the Government to prevent or suspend either. The promulgation of the before-mentioned provision of article 27 of the Mexican Constitution, followed by the issuance of the so-called petroleum decrees indicated a settled purpose of the Mexican Government to put into execution this provision of the Constitution, without opportunity for full and fair consideration, and without regard to the legitimately acquired rights of American citizens. Such action might have been irreparable in its results, and certainly would have been arbitrary, and within the power of the

Mexican Government to prevent or modify as subsequent events have shown. In the circumstances, friendly representations, without prejudice to the prosecution of legal remedies and in the interest of avoiding misunderstanding, can hardly be said to be out of place. On the contrary, the Government of the United States believes that happy results are often the outcome of diplomatic interposition, which therefore serves the best of ends, in the way of averting possible difficulties of a serious nature. Moreover, the argument of the Mexican Government as to the necessity of a resort to its courts by foreigners affected by the decree in question, prior to diplomatic interposition, would have more weight did the decree relate alone to matters of taxation, which is far from being the case, although a casual reading of the note under acknowledgment might lead to that conclusion.

As a matter of fact, the immensely important feature of the decree is the attempt made therein to carry out the provisions of article 27 of the constitution for the confiscation of the petroleum-bearing subsoil, and this was thoroughly brought out by the embassy's note of April 2, 1918, in which it was said, with reference to the taxation feature of the decree, that the Government of the United States reserved opinion on the question as to whether such taxation was confiscatory in effect. Furthermore, in mitigation of what this Government regards as the plainly confiscatory feature of the decree, the note under acknowledgment makes reference to the guaranty established by article 22 of the constitution. This Government is at a loss to understand this reference to article 22 as it would not seem to modify the effect of the decree in question, since the confiscation forbidden by that article of the constitution appears to relate to punishment for criminal offenses. This can not, therefore, be regarded as modifying the provision of the Mexican Constitution clearly applicable to this case, namely the following clause of article 27:

"Private property shall not be expropriated except for reasons of public utility and by means of indemnification."

Indeed, this provision seems to contemplate the establishment of judicial procedure for the expropriation of private property.

Therefore, the Government of the United States finds itself quite unable to accept the point of view of the Mexican Government, in respect to parity of treatment of Americans and Mexicans, and to diplomatic interposition in behalf of the former.

This communication should not be concluded without reference to the statement in the note under acknowledgment as to the inconsistency which the Mexican Government indicates that it finds between the action of the Government of the United States in respect to the petroleum controversy, and the utterances and ideals of the President of the United States. Regarding this it may be said that it is believed that the Mexican Government will confess itself unable to find any statement of President Wilson, which by expression or implication, pronounces against the exercise of the right of diplomatic interposition, upon suitable occasion therefore. The President has drawn a sharp contrast between the policy of armed intervention and that of diplomatic interposition. He has, on numerous occasions, stated in effect that he would not countenance armed intervention in the affairs of another State for the purpose of gratifying selfish interests, and the composite statement as presented by the Mexican minister of foreign affairs clearly comprehends such a situation. But the President has never stated that he would forego the right of diplomatic interposition in behalf of American citizens, a distinctly friendly method of supporting legitimate national interests in order to avoid injustice. On the contrary, the President had declared for diplomatic interposition no where better than in the following quotation from his address of January 29, 1916:

"America has not only to assert her right to her own life within her own borders; she has also to assert her right to equal and just treatment of her citizens wherever they go."

The Government of the United States asks no more than "equal and just treatment" for its citizens, and therefore cherishes the sincere hope that the Mexican tribunals whose prerogative it may be to pass upon the legal questions involved in the so-called petroleum decree will in the proceedings which it is understood have been initiated and which may hereafter be commenced protect the legitimately acquired rights of American citizens. Thus the controversy may happily be ended. However, should this hope unfortunately be disappointed, the Government of the United States must reserve to itself the consideration of the question of interesting itself further on behalf of American citizens concerned in this important and serious matter.

I am, sir,

Your most obedient servant,

FRANK L. POLK.

[Paraphrase—Telegram.]

MARCH 18, 1919.

AMERICAN EMBASSY, *Mexico*:

1921. Your dispatch 1842, February 25.

The department instructs the ambassador to protest against attempt apparently contemplated by circular February 18 to collect royalties from American petroleum interests and refers generally to objections previously urged by the American Government against Mexican petroleum decrees.

POLK, *Acting*.

DEPARTMENT OF STATE,
*Washington, April 16, 1919.*AMERICAN EMBASSY, *Mexico City*:

Inform foreign office substantially as follows:

The attention of the Government of the United States has been called to the fact that certain oil properties in Mexico leased by American companies under Mexican law have recently been denounced by third persons; that American lessees have protested to the department of industry, commerce, and labor against such denouncements and petitioned that no titles or concessions covering the properties in question should issue in consequence thereof; and that in at least one case said department has required the leasing company to submit evidence of payment of rental and royalties to the Mexican Government and to couch its protest in the terms stipulated by the decree of August 8, 1919.

It seems quite clear that in these requirements an attempt is being made by the Mexican Government to coerce American companies into the performance of acts, the results of which would be to admit in advance of the final settlement of the questions at issue the correctness of the contention of the Mexican Government in the matter of ownership of oil deposits, against which the Government of the United States has made solemn protest as threatening confiscation of rights legally acquired by American citizens.

Therefore, the Government of the United States is constrained to renew the protest previously made against this measure of threatened confiscation and to utter a present protest against the attempted coercion of American interests into an admission of the lawfulness of the means which the Mexican Government has adopted in an attempt to put its confiscatory plan into effect.

You will add that it would be regarded by the Government of the United States as very unfortunate were the Mexican Government, pending a final solution of its difficulties with the petroleum interests, to complicate the situation by the issuance to third persons of titles to or rights in lands legally held by American citizens.

POLK, *Acting*.

[Paraphrase.]DEPARTMENT OF STATE,
*Washington, April 16, 1919.*AMERICAN EMBASSY, *Mexico City*:

1969. The ambassador is instructed to renew the protest of the Government of the United States previously made against the measure of threatened confiscation and to further protest against the attempted coercion of American interests into an admission of the lawfulness of the means which the Mexican Government has adopted in an attempt to put into effect its confiscatory plan.

The ambassador is further instructed to add that a complication of the situation by the issuance to third persons of titles to or rights in lands legally held by American citizens, would be regarded by the American Government as very unfortunate.

Specific reference is made to the fact that certain oil properties in Mexico leased by American companies under Mexican law have recently been denounced by third persons; that protest has been made by the American lessees to the department of industry, commerce, and labor against such denouncements and petitioned that no titles or concessions covering the properties in question should issue in consequence thereof; and that in one case the leasing company has been required by said department to submit to the Mexican Government evidence of payment of rental and royalties and to couch its protest in the terms stipulated by the decree of August 8, 1918.

The department is of the opinion that in these requirements an attempt is being made to coerce American companies by the Mexican Government into the performance of acts, the results of which would be to admit in advance of the final settlement

of the questions at issue the correctness of the contention of the Mexican Government in the matter of ownership of oil deposits, against which the American Government has made solemn protest as threatening confiscation of rights legally acquired by American citizens.

POLK, *Acting*.

MEXICO CITY, June 2, 1919.

SECRETARY OF STATE, *Washington, D. C.*:

3006. Important. June 2, 3 p. m.

Under date of May 29 and received to-day. Foreign office has replied as follows to embassy notes of March 20 and April 21 based on department's telegrams 1921, March 18, 6 p. m., and 1969, April 16, 5 p. m., protesting against the department of hacienda circular issued February 19 last:

"The Government of Mexico sincerely deplores the fact that the American companies have ill-advisedly failed to comply with the laws which the former issued on the exploitation of petroleum, since they could have done so under protest and with the reservations that they might have considered compatible with their interests, and could have appeared before the proper authorities, requesting a (?) study of the question so that it might be decided in justice and according to law.

"Consequently, if the situation of the petroleum companies is complicated by the denouncements made by third persons, the companies mentioned are doubtless the only ones blamable, since it must be evident to your clear judgment that the protests of a foreign nation can not suspend the effects of the laws issued by the Government of another nation."

SUMMERLIN.

MEXICO CITY, June 3, 1919.

No. 2063.

The SECRETARY OF STATE, *Washington*.

SIR: With reference to the department's telegrams No. 1921 of March 18, 6 p. m., and No. 1969 of April 16, 5 p. m., instructing the embassy to protest against the circular issued by the department of hacienda on February 19, 1919, in regard to the proposed collection of royalties from petroleum companies and against the possibility that denounced concessions might be granted to third persons, I have the honor to forward herewith copy and translation of a note received from the foreign office dated May 29, 1919, the substance of which was sent the department in the embassy's telegram No. 3006, June 2, 3 p. m.

I have the honor to be, sir,

Your obedient servant,

GEORGE T. SUMMERLIN,
Chargé d'Affaires.

[Inclosure No. 1, dispatch No. 2063.]

ERNESTO GARZA PEREZ ACTING SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO GEORGE T. SUMMERLIN, CHARGE D'AFFAIRES, MEXICO.

[Translation.]

1691.

MEXICO, May 29, 1919.

MR. CHARGE D'AFFAIRES: I have the honor to acknowledge receipt of your notes dated March 20 and April 21 of the current year which you were good enough to send this department: in accordance with instructions from your Government, protesting against the circular issued by the department of hacienda on the 19th of February, last, in connection with the collection of royalties from the petroleum companies and against the possibility that concessions might be granted to third persons who have denounced petroleum properties rented by American companies.

The Government of Mexico sincerely deplores the fact that the American companies have ill advisedly failed to comply with the laws which the former issued on the exploitation of petroleum, since they could have done so under protest and with the reservations that they might have considered compatible with their interests, and could have appeared before the proper authorities, requesting a detailed study of the question so that it might be decided in justice and according to law.

Consequently, if the situation of the petroleum companies is complicated by the denouncements made by third persons, the companies mentioned are doubtless the only ones to blame, since it must be evident to your clear judgment that the protests of a foreign nation can not suspend the effects of the laws issued by the Government of another nation.

I renew to you the assurances of my highest consideration.

E. GARZA PEREZ.

DEPARTMENT OF STATE.

*Washington, June 16, 1919.*AMERICAN EMBASSY. *Mexico City:*

Your 3006, June 2, 3 p. m.

Reply to note of foreign office substantially as follows:

"As the Government of the United States is informed and believes the only Mexican legislation on the subject of petroleum deposits with which American companies have failed to comply is the recent legislation covered by decree of February 19, 1918, and subsequent decrees on the same subject, compliance with which would constitute an admission of the correctness of the contention of the Mexican Government in the matter of ownership of oil deposits, against which the Government of the United States has made solemn protest which it now renews, as threatening confiscation of rights legally acquired by American citizens.

"When it asserted that the American companies in question could have complied with such legislation under protest and with the reservations that they might have considered compatible with their interests, the foreign office apparently failed to take into account the language used by the Government of Mexico in its reply, understood by the Government of the United States to bear date of August 25, 1918, to the contention of the petroleum companies and interested individuals in the case of the *amparos* demanded against the recent decrees of the Mexican Government.

"Therein, as a further ground for the contention of the Mexican Government that *amparo* was not in order, that Government referred to the quote constitutional doctrines unquote to the effect that when an individual has agreed to be governed as regards his property by a certain statute, he may not later raise the objection that said statute violates the constitutional precepts. In this connection the reply of the executive branch of the Mexican Government sets forth that some manifestations had been presented quote under protest unquote, but that quote such protest has no legal effect except in the cases precisely specified in the laws."

In view of the foregoing the Government of the United States can not admit that American companies are in any wise blamable for the complication of their situation by reason of denouncements made by third persons, and must reiterate its previous statement that it would regard it as very unfortunate were the Mexican Government, pending a final solution of its difficulties with the petroleum interests, to issue to their persons titles to, or rights in, lands legally held by American citizens.

PHILLIPS, *Acting*.

CABLE MESSAGE FROM THE DEPARTMENT OF STATE TO THE AMERICAN EMBASSY AT MEXICO CITY.

No. 2052.

JUNE 18, 1919.

[Paraphrase.]

Answering your No. 3025, June 16, 6 p. m.

You will please make prompt protest, on behalf of American citizens whose interests are involved, against orders of President Carranza to cease drilling for oil except in cases where permits have been granted. Protest should be based on the fact that said permits could have been procured only through complying with recent legislation in consonance with presidential decree of February 19, 1918, and later decrees regarding same subject, and that acquiescence in same would have been equivalent to an admission that the Mexican Government had in issuing them acted within its rights in regard to ownership of oil deposits, against which assumption the Government of the United States has entered a vigorous protest as threatening to confiscate rights which its citizens have legally acquired.

You will simultaneously make reservation of rights for damages in behalf of American citizens whose interests are jeopardized by said decrees.

POLK, *Acting*.

No. 2241.

MEXICO, August 6, 1919.

The SECRETARY OF STATE, *Washington*.

SIR: I have the honor to confirm this embassy's telegram, No. 3097, of August 5, 12 noon, and to inclose, herewith, copy and translation of the official circular No. 9 of the petroleum division of the department of industry, commerce, and labor, dated August 1, 1919, which was forwarded to this embassy by the department of foreign relations, August 5, 1919.

I have the honor to be, sir,

Your obedient servant,

GEORGE T. SUMMERLIN,
Chargé d'Affaires.

[Inclosure No. 1, dispatch No. 2241.]

TRANSLATION OF OFFICIAL CIRCULAR NO. 9, ISSUED BY THE PETROLEUM DIVISION OF THE DEPARTMENT OF INDUSTRY, COMMERCE, AND LABOR, AUGUST 1, 1919, FORWARDED TO EMBASSY BY DEPARTMENT OF FOREIGN RELATIONS.

A seal which reads: "Department of industry, commerce, and labor. Petroleum Division. Circular No. 9."

Taking into consideration that various companies and individuals interested in the petroleum industry have not understood the liberal spirit which animated the Federal executive when he issued the decrees regarding taxes on oil lands and on oil contracts, nor have they understood the advantage which was intended for them by the presentation of the manifestations required by the decree of July 31, 1918, order whose object was the protection of rights acquired prior to May 1, 1917, and consequently did not present said manifestations:

That as a consequence of the failure to present the manifestations required the interested parties were deprived, by article 4 of the decree of August 12, 1918, of the right to execute new work in connection with the exploration and exploitation of oil on their owned or leased properties;

That for the same reason they can not fulfill their commercial promises previously contracted according to persistent declarations which they have made to the department of industry, commerce, and labor; and

That the inclination of the Federal Government always has been to encourage the development of the national petroleum industry:

The President of the Republic has seen fit to order that:

The owners of lands or the concessionaries of the right of exploitation who did not present the manifestations required by the decree of July 31, 1918, on taxes on oil lands and oil contracts, shall be able in the future to undertake oil exploration and exploitation work on the condition that on requesting the corresponding permission from the Federal Executive they obligate themselves to respect the precepts of the organic petroleum law which the Congress of the Union may enact.

The permits granted by this department in fulfillment of the above ruling shall have a provisional character and shall be revalidated in accordance with the organic law on petroleum when it may be passed.

In order to obtain the referred-to permits for exploration and exploitation, the petitioners shall present to this department of industry, commerce, and labor the documents which prove the possession of the lands where the referred-to permits are to be used.

Which is made known to the interested parties for proper action. Constitution and reforms. Mexico, August 1, 1919. The subsecretary in charge of the office.

LEÓN SALINAS.

This is a true copy of the original.

A. G. MORENA.

PARAPHRASE OF TELEGRAM, DATED OCTOBER 1, 1919, FROM THE ACTING SECRETARY OF STATE TO THE AMERICAN EMBASSY AT MEXICO CITY.

You will inform the foreign office substantially as follows:

The United States Government has learned that various corporations owned entirely or in large part by citizens of the United States hold oil leases executed before May 1, 1917, on privately owned lands in the State of Vera Cruz, by which the companies have the right to explore and exploit the subsoil deposits; that in some instances these lease contracts definitely required under penalty of forfeiture the drilling of wells within fixed and limited periods; that the companies in order to meet their contractual obligations and to enjoy their property rights have applied in the appropriate manner to the Mexican department of industry, commerce, and labor for permits to drill wells; that such permits have been denied in some instances and granted conditionally in other instances; that denials have been based on sole ground that companies have not manifested their properties as required by Mexican decree of July 31, 1918, and have not conformed to decrees of August 8 and 12, 1918, and that permits granted have been conditioned upon obligation of companies to conform to provisions of a petroleum law to be enacted in the future; that the companies have been notified that under the provisions of the Mexican circular of January 17, 1915, as reaffirmed March 20, 1919, the Government will take over all wells drilled without permits, and that on certain properties so held under leases the Mexican authorities have accepted denunciations by third persons in spite of companies' protests, which have been overruled because companies have not complied with provisions of decrees of August 8 and 12, 1918.

This would seem to be but another aspect of the situation affecting petroleum deposits in Mexico, which has been discussed in previous representations from the Government of the United States, and this opportunity is taken to reaffirm the position of this Government with regard to the matter as set forth in such representations.

In this relation, and with specific reference to the action of the Mexican Government as set forth in the foregoing, it may be observed that compliance with or acquiescence in the above-mentioned decrees of 1918 by the companies affected would seem clearly to imply a surrender on their part of rights and titles lawfully acquired and legitimately held under Mexican law. Moreover, the companies in question can not reasonably be expected to agree in advance to conform to the provisions of a law to be enacted in the future, concerning the terms of which they have no assurance that their rights will be respected.

In this view of the matter the Government of the United States, owing as it does to its citizens the duty of protecting them in foreign lands, both in their persons and their property rights, must strongly protest against the action of the Mexican Government as outlined above and characterize it as threatening confiscation and a denial of justice.

The Mexican Government is therefore strongly urged not to permit the circulars of January 7, 1915, and March 20, 1919, to be enforced in the cases to which reference has been made and to see to it that the interested companies suffer no loss or inconvenience on account of the denouncements upon their properties which appear to have been accepted as aforesaid, but to restore the companies to all the rights to which they are entitled under the leases held by them and the applicable laws of Mexico at the time when such lease contracts were made.

In communicating the foregoing the Government of the United States takes occasion to express the confident hope that pending the general settlement of the petroleum question by specific legislation of the Mexican Congress the administrative authorities of Mexico will respect the vested rights of American citizens and evince that respect by withdrawing its insistence that interested American citizens comply with the provisions of the decrees mentioned.

DEPARTMENT OF STATE,
Washington, November 14, 1919.

The Hon. ALBERT B. FALL,
*Chairman Senate Subcommittee Investigating Mexican Affairs,
Committee on Foreign Relations, United States Senate.*

SIR: With further reference to my letter of October 25, I have the honor to transmit herewith additional copies of protests made by the Government of the United States to the Government of Mexico against certain decrees and proposed legislation held to be inimical to the interests of American citizens.

Documents 38 to 42, inclusive, relate to the proposed waiver of the rights of foreigners to appeal to their governments for protection and redress.

Documents 44 to 58, inclusive, relate to the so-called Agrarian law recently enacted by the Legislature of the State of Sonora.

I have the honor to be, sir,

Your obedient servant,

ROBERT LANSING.

[Telegram, plain.]

MEXICO CITY, MEXICO, August 10, 1916.

SECRETARY OF STATE, Washington, D. C.:

Order to notaries provides that in formation new corporations and particularly those for exploration, exploitation of oil lands, charter shall contain clause providing that foreign stockholders renounce their national rights as to company affairs, this meaning they waive all right to protection interest through their national representatives. Informed that this has been tried before, but failed and is not considered to have legal effect. Nevertheless it is undoubtedly dangerous and presumably contrary to treaty rights. Have filed general protest.

RODGERS.

[Paraphrase. Telegram.]

DEPARTMENT OF STATE,
Washington, D. C., August 16, 1916.

RODGERS,

Special representative American Government, Mexico City:

295. The department refers to your telegram No. 278, and instructs you to advise the proper authorities that decree providing that new corporations are obliged to state in their articles of incorporation the clause of renunciation by foreign stockholders of their national rights as to company affairs will not be regarded by the American Government as annulling the relations existing between itself and its citizens who may own stock in such corporations or as extinguishing its obligations to protect them in case of denial of justice.

LANISING.

652.

EMBASSY OF THE UNITED STATES OF AMERICA,
Mexico, January 9, 1917.The SECRETARY OF STATE,
Washington, D. C.

SIR: I have the honor to refer to my telegram of January 8 relating to the publication of a further decree relating to the renouncing of citizenship rights by foreigners acquiring certain real properties in the Republic of Mexico, and transmit herewith a copy of said decree, together with a translation of same in duplicate. I also transmit a translated copy of the previous decree upon this same subject, as requested by the department.

I have the honor to be, sir,

Your obedient servant,

WALTER C. THURSTON,
In Charge of American Interests.

[Translation.]

CIRCULAR OF DECREE REQUIRING FOREIGNERS TO RENOUNCE THEIR NATIONAL PROTECTION WHEN ACQUIRING RIGHTS TO REAL PROPERTY IN THE REPUBLIC OF MEXICO.

On the 15th of August of this year, this office, by direction of the first chief of the constitutionalist army, in charge of the executive power of the nation, issued a circular setting forth the obligatory disposition relating to the requisitions which must be met by foreigners who attempt to acquire, within national territory, uncultivated or national land, waters of Federal jurisdiction, mining claims, or permission for the exploration or exploitation of natural riches, such as forest products, petroleum, fisheries, etc., warning them that they must previously present, through written document and before the department for foreign affairs, a formal, express, and final declaration that, in their capacity of proprietors or concessionaries, and for all effects and purposes relating to the properties they desire to obtain, they consider themselves as Mexicans, renouncing their rights as foreigners, and that of applying for protection or presenting complaints to their respective Governments.

In the third clause of that circular it was declared that all denouncements then filed before this office, or its administrative agencies upon any of the classes of properties above referred to should be suspended until the interested person should present the certificate mentioned, with the understanding that these denouncements should be placed in the files and considered forfeited unless the certificate were presented before the expiration of four months.

The citizen, first chief of the constitutionalist army, taking into consideration the fact that many foreigners, due to causes beyond their control have not been able to present said certificate, and he being desirous of preventing harm to those who have acquired in good faith legitimate rights, has seen fit to dispose that the period referred to in said third clause shall be extended four months longer, and will expire April 15, 1917.

December 15, 1916.

EDUARDO HAY,
Subsecretary (Fomento).

[Translation.]

DECREE REQUIRING FOREIGNERS TO RENOUNCE THEIR NATIONAL PROTECTION WHEN ACQUIRING RIGHTS TO CERTAIN REAL PROPERTY IN THE REPUBLIC OF MEXICO.

A seal reading: "Ministry of state and office of fomento, colonization, and industry, Mexico, office of the private secretary, No. 81."

The first chief of the constitutional army in charge of the executive power, considering that as a consequence of our fundamental laws whereby foreigners must enjoy in Mexico the same privileges as the Mexicans, it is natural and legitimate that they should have the same obligations, with a view that the liberality of our democratic institutions should not be understood nor carried to the extreme that foreigners, as owners of property in Mexico, be in better juridical conditions than Mexicans, as it has unfortunately happened and which would occur if they, besides the enjoyment of the rights, actions, and resources offered by the Mexican laws in regard to property and its juridical relations, could formulate claims before their respective Governments; the same first magistrate of the Republic, in view of the extraordinary faculties in him vested, has seen fit to direct the establishment of the following dispositions, obligatory in all the Republic:

First. Foreigners pretending to acquire real estate or national lands, mining claims, waters of Federal jurisdiction, or permit for the exploration or exploitation of the natural riches, as forestal products, oil, fisheries, etc., in the Republic of Mexico, shall present beforehand in writing, before the ministry for foreign affairs, a formal express declaration that in their capacity as proprietors or concessionaries and for all the effects and relations of the property which they desire to acquire, they consider themselves Mexicans, waiving their rights as foreigners and privileges of appeal for protection or claim to their respective Governments.

Foreign corporations can not acquire rights on any of the properties specified in this circular, unless they nationalize and submit to the Mexican laws making the aforementioned declaration.

Second. It is an indispensable requirement for the ministry of fomento, colonization, and industry in order to admit any denouncement or application made by a foreigner on any of the matters referred to in the previous article, even for a simple permit for exploration, that he should present to it with the first communication a certificate issued by the ministry for foreign affairs, bearing the declaration mentioned in the previous disposition.

Without this requirement the application must be refused emphatically, and all proceedings made before the presentation of this certificate will be null and void.

There shall appear in all property titles, as well as in the permits on the properties aforementioned, which should be granted by the ministry of fomento to foreigners, as well as in the contracts or deeds authorized by public notaries, the full text of the certificate prescribed in the first disposition, besides the reproduction of the text thereof as a special clause. Failure to insert the certificate or that clause will cause the annulment of the title, permit, contract, or respective deed.

Third. In all matters already moved by foreigners which may be before the ministry of fomento or its administrative agencies with relation to any of the properties referred to in this disposition, the proceedings will be suspended and shall not be renewed until the presentation by the interested parties of the certificate in question. If within the period of four months beginning from the date of these dispositions the certificate is not presented by the interested parties they shall be regarded as desisting from their purpose and their applications will be filed, the interested parties not having a right of appeal against this resolution.

The present dispositions are obligatory in all the Republic of Mexico and shall be published in *El Diario Oficial*, for its knowledge and due compliance, and shall be in force on the day of its issuance.

Constitution and reforms, Mexico, August 15, 1916.

The subsecretary in charge of the office of the ministry of fomento, colonization, and industry.

PASTOR ROUAIX.

[Telegram, plain.]

DEPARTMENT OF STATE,
Washington, D. C., January 19, 1917.WALTER THURSTON, Esq.,
Representing American Interests, Mexico City.

Advise appropriate authorities that Government of the United States can not regard provisions of decrees of August 15 and December 15, 1916, as annulling the relations existing between it and its citizens who may acquire properties in Mexico or as affecting its rights and obligations to protect them against denials of justice with respect to such properties.

LANSING.

[Paraphrase: Telegram.]

DEPARTMENT OF STATE,
Washington, D. C., January 31, 1919.AMERICAN EMBASSY, *Mexico City:*

1842. The department refers to the representations made through Thurston to the Mexican Government pursuant to the department's telegram of January 19, 1917.

You are instructed to advise the foreign office that the American Government maintains the position relative to the provisions in the Mexican constitution and laws of Mexico in which foreigners are required to waive their rights as nationals with respect to property purchased by them in Mexico, that such provisions annul the relations existing between this Government and its citizens who may acquire property in Mexico, and it further maintains the position that such provisions above referred to affect its rights and obligations to protect them against the denials of justice with respect to such properties.

POLK, *Acting.*

No. 263.

AMERICAN CONSULATE,
Nogales, Mexico, December 5, 1918.

Subject: Proposed agrarian and labor laws for the State of Sonora.

The SECRETARY OF STATE,
Washington, D. C.

SIR: I inclose herewith a rough translation of the law as it has been presented to the State congress. As will be seen by the department, the translation inclosed is evidently intended to divide up the large tracts of uncultivated land of the State of Sonora.

There is also being considered at the present time a labor law which is possibly more drastic than the agrarian law submitted herewith. However, representatives of the three large American mining companies have just returned from Hermosillo, where they went to discuss the proposed labor law, and they report that the law is not drastic, as the casual reading of the first draft will indicate, and they seem rather satisfied with the promises made to them on this subject. They are also of the opinion that the law will not pass in this session of the legislature.

I have the honor to be, sir,

Your obedient servant,

E. M. LAWTON, *American Consul.*

AGRICULTURAL LAW OF THE STATE OF SONORA, MEXICO.

PRELIMINARY TITLE.—GENERAL BASIS.

ARTICLE 1. The division of the agrarian property has been declared a public utility.

ART. 2. The water for the supply of the towns and for the irrigation of the lands has been declared a public utility, and therefore, the Government, by previous study, will propose to the central Government the nullification of concessions of water authorized previously to the present law, if said concessions are in detriment of the towns, or if the waters can give better service to a greater number of agriculturists.

ART. 3. The formation of small property, having for a basis the portion that constitutes the primordial part of the patrimony of the family, is the essential object of the present law.

ART. 4. The State will begin to bestow a portion of land to each head of the family, with preference to farmers, this adjudication being ad perpetuam and inalienable.

ART. 5. Persons who have served in the revolutionary army during the constitutional revolution will have a preference in the portions mentioned in the above articles; also those who have served in the Yaqui campaign and in the public schools with success.

ART. 6. Lots to be apportioned will be taken from national lands, from the property of the State and also from the large estates by means of expropriation proceedings by public utility and in the form expressed in this law.

ART. 7. Every person that resides or comes to reside in the State of Sonora, under 18 years of age, has a right to possess, if he wishes to cultivate it personally, a lot of land, which by means of his own labor he can obtain sufficient in order to sustain his family, maintaining thereby his economical independence in working for his well-being and that of the nation.

Foreigners adjudicated will be subject to national laws, so far as the present case is concerned, and will, therefore, not be able to allege any right as aliens.

ART. 8. The developments of agriculture and also of stock industry is declared a public utility, as these constitute the most solid foundation of national prosperity.

LAND OFFICES.

ART. 9. In compliance with the Federal law of January 6, 1915, and to the end that the precepts of the present law may be realized, there will be established in the State:

(I) The local land commission, that will reside in the capital of the State and that will be formed of five members named by the governor, who will constitute a body formed by a president, a secretary, and three voters, selected by the laws from the members of the commission.

(II) The executive committee will be composed of three persons; president, secretary, and a voter, selected by the law from the members of the said committee and said bodies will be commissioned by the governor of the State. Said bodies will be commissioned by the executive of the State with audience before the corresponding town councils, which will serve in each municipality.

ART. 10. The local land commission will organize its own form of government and that of the executive committee and these will serve with the authority given in said laws of January 6, 1915, and of the present law.

ART. 11. The members of the local land commission and the employees commissioned by the governor of the State at the suggestion of the said commission and the executive committee will receive the salaries fixed by the budget of the State.

ART. 12. The executive committee will work without any intermediary whatever with the local land commission.

ART. 13. As all the employees of the local land commission must be Mexicans by birth, the following can not form part of the said body:

(I) Judicial and political authorities.

(II) Military officers in active service.

(III) Large land owners.

(IV) Persons owning more than 25 hectares of farm lands and more than 1,000 hectares of ranch land.

(V) Individuals who served the Diaz administration or the enemies of the constitutional government, or even though they have not served their Governments maybe known of antirevolutionary sympathy.

TITLE SECOND.—CLASSIFICATION, DIVISION, AND ADJUDICATION OF LANDS.

CHAPTER I.—CLASSIFICATION.

ART. 14. For the effect of this law, the lands in the State will be classified in the following manner:

(I) Agriculture lands—

(a) Irrigated.

(b) Not irrigated.

(II) Ranch lands.

CHAPTER II.—DIVISION OF LARGE ESTATES.

ART. 15. The greatest extension of land that will be possible for one person or corporation to own in Sonora is as follows:

(I) Irrigated farm lands—

(a) Within communal lands, 50 hectares.

(b) Outside of communal lands, 100 hectares, excepting from the last maximum limit of lands included in the previous case by the following article:

(II) Nonirrigated farm lands—

(a) Within communal lands, 500 hectares.

(b) Outside of communal lands, 300 hectares.

(III) Ranch lands, 10,000 hectares.

ART. 16. When the owner of the irrigated land, whose extension exceeds 100 hectares, but within the limits fixed for lands of this class, is able to, by his intelligent efforts and steadiness, make it permanently irrigated lands, and if it is comprised in the classification which is noted in the exception of fraction 1 of article 14 and for that reason, within the limits of the preceding article, the proprietor will be able to have the transformation realized in his property and will continue possessing it complete as it is, for his intelligence and work.

ART. 17. Within communal lands it will not be possible to hold rustic property whose extension exceeds 50 hectares.

ART. 18. The owners whose farm property exceeds the limit fixed in article 15 will proceed to their immediate division in the following form:

(I) Irrigated farm lands will be divided in lots from 5 to 50 hectares when they are within the communal lands and from 5 to 100 hectares when outside of communal lands, five hectares being the smallest parcel adjudicated.

(II) Nonirrigated farm lands will be divided from 5 to 50 hectares if they are within communal lands and from 5 to 300 hectares if they are outside of same.

(III) Ranch lands will be divided in proportions of 1,000 to 10,000 hectares.

ART. 19. If the owners refuse or neglect to divide their lands, the State will proceed in conformity to section C of fraction VII of article 27 of the general constitution of the Republic and in conformity with the proceedings indicated by this law.

ART. 20. When a property is to be divided, either by the owner or by the State, having a homestead, the proprietor may reserve, if he so desires, a lot of 100 hectares within which his homestead may remain, providing said lot is not within communal lands, in which case he can only reserve a lot of 50 hectares.

ART. 21. Ranch lands, which by reason of legal process may pass to the possession of the State, will be divided by the State in lots of 2,500 hectares, which will be assigned to those who may solicit same, in the form and terms provided by law.

CHAPTER III.—ADJUDICATION.

ART. 22. Immediately after the publication of this law, parties interested in the acquisition of lands shall make application therefor to the governor of the State, and may acquire a lot of ground for farming and another for cattle raising if they so desire.

ART. 23. In their application they will state:

(I). The number of hectares they desire to acquire.

(II). The class of land that they wish to work, either for farming (irrigated or not irrigated), or for cattle raising.

(III). The place where the lot or lots requested are to be found, stating the name of the farm (and that of its proprietor) in which he is going to reside.

(IV). The nationality and the civil state of the solicitant and the number of members in his family that he has under his charge, if he has any one depending upon him, stating the sex and age of the members who form it.

(V). The services that he may have loaned in the constitutionalist revolution, in the campaign against the Yaquis or in the public schools if he has so acted.

(VI). The elements which he may have for the development of the lot or lots desired.

ART. 24. The governor of the State will pass this request to the local land commission who will carry a register of it to the end that they may proceed by order of priority to the adjudication of the lots solicited, when the division thereof may be made.

ART. 25. The lots adjudicated will be paid by the beneficiaries in twenty annual payments, the first payment being made two years after he has begun to exploit the land acquired, without prejudice that the solicitant may pay the total value of his lot before, if he can and desires to do so.

ART. 26. The owners whose lands have been designated for division and adjudication will receive as interest of the capital which the property represents, 5 per cent annually, which will be paid by the beneficiary jointly with the annual payment which he also is to pay.

ART. 27. When a beneficiary ceases to cultivate his lands for two consecutive years the State will reoccupy the same and assign it to the first solicitant and the first beneficiary will lose all the improvements which he may have made on the property, including that which he may have paid for it.

OBLIGATIONS OF THE LANDOWNERS AND THE BENEFICIARIES.

CHAPTER I OF THE THIRD TITLE—OBLIGATIONS OF THE LANDHOLDERS.

ART. 28. Within the month that this law is published the owners must comply with that which is provided in the eighteenth article of the same, giving notice to the governor of the State that they desire to divide their property, to the end that he may call together the persons that may desire to establish themselves, acquiring lots on the property that they are going to divide.

ART. 29. Having complied with the requirements of the preceding article, the governor of the State, by means of the local land commission will arrange the form in which the division shall be made, indicating the number of lots in which the property will be divided and also the size of the said lots.

ART. 30. The value of the property for its payment to the owner will be that which he may have manifested to the officers of tax and hacienda with an addition of 30 per cent ad valorem, the amount of the improvements introduced previously to the manifestation, and the expenses which have originated from the operation of the division.

ART. 31. When a large proprietor refuses to divide his property the governor of the State will order that the local land commission may make the division.

ART. 32. In the case of the preceding article the owner will receive as payment for his property the fiscal value thereof plus 10 per cent on said valuation.

CHAPTER II.—OF THE BENEFICIARIES.

ART. 33. The persons who may acquire lots of ground by this law will have the following obligations:

(I) On farm lands—

(a) To have entirely in cultivation within the second year after having possession of the lot or lots assigned to them remaining subject, those who do not comply with this requisite, to the provisions of Article 27 of this law.

(b) To procure agriculture developments, either by introducing all the possible improvements on their lands, studying in union with other farmers the best methods of cultivation which will tend to increase their products.

(II) On cattle-raising lands—

(a) To have at least 10 head of stock.

(b) To prevent immoderate destruction of the forests and to procure reforestation.

(III) To pay punctually the annual payments or installments on their farms and the interest which is related to such obligations.

ART. 34. The value of the lots for payment by the beneficiary will be that fixed by article 30 and article 32 plus the cost of division in both cases.

ART. 35. A special account will give the form in which owners of lands, which are to be divided by virtue of this account, will collect the value of their property, as also the manner in which beneficiaries will pay for the lots they may acquire.

TITLE FOUR.

CHAPTER I.—GENERAL PROVISIONS.

ART. 36. Lots adjudicated in conformity with this law will pass to the beneficiary free from all incumbrances, excepting the rights of creditors of the divided property, to exercise the shares that are conferred upon them by the law relating thereto.

ART. 37. During the time that the price of the lots has not been paid completely, it can not be sold, mortgaged, or incumbered in any way, and any contract celebrated to such end is hereby declared void.

ART. 38. It is also prohibited to speculate with the said provisional titles, and any operation whatever which has this object in view is declared void.

ART. 39. The lots that by whatever reason remain vacant may be listed in conformity to the rules which the executive may issue for the case; meantime, the said lots are assigned in fee simple.

ART. 40. Immediately after a lot is assigned the beneficiary will have it registered in the tax office of his municipality and in the public register of property for the use of statistics and taxes.

ART. 41. Assignments will be made by personal selection, or by lot when the same lot is solicited by two or more persons.

ART. 42. When the adjudication of lots of any property there are lots belonging to foreigners, their lots, as far as possible, will be alternated with those of the Mexican citizens.

ART. 43. For the effectiveness of article 4, parcels of land which adjudicated under this law may only be transmitted by inheritance, being sufficient for this act, if by reason of lack of formality, otherwise, required by civil laws, the presentation of the certificate of the civil register which establishes the decendency of the legatee.

ART. 44. Special law will be passed immediately by the Congress of the State to return the property which constitutes the patrimony of the family as to the precepts that guarantee their protection and safeguard.

TRANSITORIES.

First. This law will commence to take effect from the day of its publication.

Second. The publication of this law will be made by solemn proclamation November 20 of the present year.

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., December 24, 1918.

AMERICAN EMBASSY, *Mexico City*:

1745. You are instructed to address the Mexican Government in substantially the following tenor relative to the agrarian law of the State of Sonora, published November 20, which has been brought to the attention of this Government:

No provision is made for payment of compensation to the owner by the State of Sonora for lands to be taken by State and assigned to private interests, and will, therefore, point out that the proposed law is confiscatory in character. It clearly violates the following provisions of article 27 of the Mexican Constitution: "Private property shall not be expropriated except for cause of public utility and by means of indemnification." The confiscatory character is not obviated by provisions that persons to whom lands are transferred by State shall make annual payments to owners, beginning two years after transfer, no penalty being provided for nonpayment and the credit of the State is not pledged to assure payment.

It is further violative of the fourteenth article of the constitution: "No person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed," when it provides for taking of property by purely arbitrary administrative action without due process of law or judicial determination.

You will further direct the attention of the Mexican Government to the fact that such safeguards as are provided for property owners by said provisions of article 14 correspond to provisions under which property is taken for public use in the United States and it is believed that this principle is followed generally throughout the world as in accordance with the general idea of justice and equity. In this principle the owner has the right to demand that an impartial tribunal shall pass upon question of compensation and that he be given an opportunity for a hearing.

Article 27 also provides for judicial determination of value of improvements on lands expropriated while in the proposed law no such provision appears.

You are therefore instructed to protest against the proposed enactment into legislation of the proposed law.

POLK, *Acting*.

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
December 24, 1918.

AMERICAN CONSUL,
Nogales, Mexico.

Referring to your dispatch No. 263, the department instructs you to advise the appropriate State authorities that the American Embassy at Mexico City has been instructed substantially as follows.

You are instructed to address the Mexican Government relative to the agrarian law of the State of Sonora published November the 20th, which has been brought to the attention of this Government.

No provision is made for payment of compensation to the owner by the State of Sonora for lands to be taken by State and assigned to private interests and you will therefore, point out that the proposed law is confiscatory in character. It clearly

violates the following provisions of article 27 of the Mexican Constitution: "Private property shall not be expropriated except for cause of public utility and by means of indemnification." The confiscatory character is not obviated by provisions that persons to whom lands are transferred by State shall make annual payments to owners beginning two years after transfer, no penalty being provided for nonpayment and the credit of the State is not pledged to assure payment.

It is further violative of the fourteenth article of the constitution: "No person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed"; when it provides for taking of property by purely arbitrary administrative action without due process of law or judicial determination.

You will further direct the attention of the Mexican Government to the fact that such safeguards as are provided for property owners by said provisions of article 14 correspond to provisions under which property is taken for public use in the United States and it is believed that this principal is followed generally throughout the world as in accordance with the general idea of justice and equity. In this principle the owner has the right to demand that an impartial tribunal shall pass upon the question of compensation and that he be given an opportunity for a hearing.

Article 27 also provides for judicial determination of value of the improvements on lands expropriated while in the proposed law no such provision appears.

You are therefore instructed to protest against the proposed enactment into legislation of the proposed law.

POLK, Acting.

No. 52.

AMERICAN CONSULATE GENERAL,
Nogales, Mexico, March 13, 1919.

Subject: Proposed agrarian law for the State of Sonora.

The honorable the SECRETARY OF STATE,
Washington, D. C.

SIR: Replying to the department's instruction No. 308 of February 8, 1919, file 312.115/367, I have the honor to report that the Congress of the State of Sonora, Mexico, is still in session at Hermosillo, and from the information furnished me by the Mexican consul at Nogales, Ariz., the much-discussed agrarian law has so far failed of enactment as a law by the said Congress. I have the honor to be, sir,

Your most obedient servant,

CHAS. W. DOHERTY,
American Vice Consul in Charge.

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., March 20, 1919.

AMERICAN CONSUL,
Nogales, Mexico.

The department refers you to your dispatch No. 52 and instructs you to bring to the attention of the appropriate State authorities the fact that the American embassy at Mexico City has been instructed to renew protest previously made against agrarian law, referring to the advices given them pursuant to instructions contained in department's December 24, 6 p. m.

POLK, Acting.

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., March 21, 1919.

AMERICAN EMBASSY,
Mexico City.

1924. The department refers you to its telegram No. 1745 and instructs you to renew protest against proposed agrarian law for the State of Sonora, information having come to the department that the law failed of passage in last session of Sonora Legislature, but has been reintroduced in present session. You will bring to the attention of the foreign office this information of the department.

POLK, Acting.

[Paraphrase telegram.]

DEPARTMENT OF STATE,
Washington, D. C., July 16, 1919.AMERICAN EMBASSY,
Mexico City.

2095. The American embassy at Mexico City is instructed to request of the foreign office whether the report is correct, that has come to the attention of the department, that the Legislature of the State of Sonora passed the agrarian law, about June 26. You are instructed to protest anew against the measure and urge that action be promptly taken to prevent the coming into force of a measure threatening American interests.

POLK, Acting.

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., July 17, 1919.AMERICAN CONSUL,
Nogales, Ariz.

You are instructed to report whether the Legislature of the State of Sonora has passed the agrarian law, and if so, to forward a copy for the department's information. The American embassy at Mexico City has been instructed to renew protest against the measure, and you will inform the appropriate State authorities of this action.

POLK, Acting.

No. 151.]

AMERICAN CONSULATE,
Nogales, Mexico, July 29, 1919.

Subject: New agrarian law of Sonora.

The honorable the SECRETARY OF STATE,
Washington, D. C.

SIR: I have the honor to forward herewith five copies of a translation of the new agrarian law of the State of Sonora, approved June 23, 1919, and promulgated by the governor, July 3, to be effective July 27, 1919.

My request to the governor for copies of this law and a statement as to the points in which it differs from the law under consideration by the previous Congress of Sonora, if any, has not been yet complied with. I have the honor to be, sir,

Your most obedient servant,

FRANCIS J. DYER,
American Consul.

NO. 81. AGRARIAN LAW OF THE FREE AND SOVEREIGN STATE OF SONORA, APPROVED BY THE STATE CONGRESS, JUNE 23, 1919; PROMULGATED BY THE GOVERNOR, JULY 3, 1919—TO BE EFFECTIVE JULY 27, 1919.

CHAPTER FIRST.—GENERAL BASES.

ARTICLE 1. The present law has for its object to create and foment small properties in the State.

ART. 2. For the effect of the present law are of public utility:

- (1) The subdivision of the great estates.
- (2) The establishment of new centers of agricultural population with the lands and waters which may be indispensable to these.
- (3) The utilization of the waters for their equitable distribution and application to the cultivation of the lands; and
- (4) The others which may tend to realize the ends enunciated in the previous article.

ART. 3. Every inhabitant of the State who reunites the requisites which, further on are detailed, shall have the right to acquire a parcel in accordance with the prescriptions of this same law.

ART. 4. The parcels to which the previous article refers shall be taken from private properties or from those that by any concept can be disposed of by the State.

ART. 5. The lands of private property which must be partitioned shall be subdivided by their proprietors in accordance with this law, but if they do not proceed to

the subdivision, or if they resist the effecting of it, the State, following the expropriation by reason of public utility, shall make the subdivision.

ART. 6. The procedure of expropriation shall be verified in accordance with the dispositions of the relative law, excepting in that which refers to the payment which shall be made in accordance with that which this same law provides.

CHAPTER SECOND.—AGRARIAN OFFICES.

ART. 7. The legal course of all matters to which this law relates shall be by conduct of the agrarian department of the State depending from the executive power, and which shall be in charge of one engineer, with the force of employees which the budget of expenditures establishes.

CHAPTER THIRD.—OF THE CLASSIFICATION OF THE LANDS.

ART. 8. For the effects of this law the lands shall be classified in the following form:

(1) Of agriculture.

(2) Of grazing.

ART. 9. By lands of agriculture shall be understood those which upon being applied for are in cultivation or which may be immediately cultivable.

ART. 10. By grazing lands shall be understood those which, upon being applied for, are not cultivable by any circumstances proper to the same lands, and those, which being susceptible of cultivation, require to this effect special primary works of irrigation, of defense, or of breaking.

ART. 11. The lands of agriculture in their turn shall be subdivided into:

(1) Of irrigation.

(2) Of "temporal" (watered by rains).

ART. 12. By irrigated lands shall be understood those which on being applied for count upon the water necessary to assure at least one crop on the agricultural year.

ART. 13. By lands of "temporal" shall be understood those whose watering depends exclusively upon the eventualities of showers.

CHAPTER FOUR.—OF THE MAXIMUM EXTENSION OF LANDS WHICH MAY BE POSSESSED.

ART. 14. The maximum extension of land which may be possessed by one person or legally constituted corporation is the following:

Fifty hectares in the lands of private property situated within the zone which was demarcated primordially as "ejidos" (commons) of the town.

Outside of the zone fixed in the preceding the maximum extension shall be the following:

(a) In irrigated agricultural land, 100 hectares.

(b) In "temporal" agricultural land, 300 hectares.

(c) In grazing lands, 10,000 hectares.

ART. 15. In the extension fixed in the previous article shall be comprehended that of one or of various lots belonging to one same proprietor whether they be located together or distant one from the other or situated in one or various municipalities.

ART. 16. The persons and institutions which conforming to the present law have the right to possess lands may possess at the same time lands of grazing, of irrigation, and of "temporal," always that said lands do not exceed the limits fixed in article 14.

ART. 17. When the proprietor of a land of "temporal" whose extension does not exceed the limits fixed for the lands of this class converts it to irrigated land he may continue to possess it integrally.

ART. 18. Grazing lands of the maximum extension which have been solicited for their cultivation shall be subdivided in accordance with official guidance with the prescription of this law relative to lands of agriculture.

ART. 19. When the proprietor of a grazing land whose extension does not exceed the limits fixed by this law for this class of land converts it in all or in part into land of agriculture he may continue possessing it integrally.

CHAPTER FIVE.—OF THE SUBDIVISION.

ART. 20. Every property which exceeds the extension fixed in article 14 and which belongs to one sole individual or legally constituted corporation shall be considered as a great estate and its owner shall be obliged by reason of public interest to subdivide the excess within the term which this law fixes.

ART. 21. From the date of the promulgation of this law the proprietors of great estates in the State shall give notice to the agrarian department of the preparatory operations of subdivision and legalized copies of the respective contracts consummated.

ART. 22. There is established 10 months to count from the promulgation of this law as the legal term within which the proprietors shall themselves make the subdivision of which the preceding articles treat.

ART. 23. The date establishes in the preceding articles having passed, the excess of lands which belong to one sole person or legally constituted corporation shall be subdivided by the Government in accordance with fraction 7 and the respective inserts of article 27 of the General Constitution of the Republic and the Law of Expropriation for cause of public utility of the State.

ART. 24. The governor of the State shall convoke, by means of permanent notices in the Boletín Oficial or by any other medium of publicity, the persons who wish to acquire lots in the properties which are to be subdivided, establishing conditions of acquisition, etc., and when he has received sufficient applications, shall proceed to the expropriation.

ART. 25. For the effects of the previous article it shall be understood that there are sufficient petitions when these amount to 10, or, when without amounting to this number, they cover an area of 50 hectares. In case that the portion expropriable does not exceed 50 hectares, it shall be sufficient that the application presented cover 50 per cent of said portion.

ART. 26. When a property is subdivided, the proprietor shall have the right to choose the extension of land which best suits him, always that it does not exceed the limit fixed in this law.

ART. 27. The expropriation of lands which are carried to a conclusion by the executive of the State by the applications of this law shall be limited to the extensions which have been applied for.

ART. 28. The lands which by the exercise of the faculty of economic coercion (facultad económico-coactiva) pass to the possession of the State shall be adjudicated to whoever applies for them in legal form and terms.

CHAPTER SIXTH.—OF THE APPLICATIONS AND ADJUDICATIONS.

ART. 29. The maximum extensions of adjudication shall be the following:

- (a) Of irrigated lands, 15 hectares.
- (b) Of lands of "temporal," 50 hectares.
- (c) Of grazing lands, 1,250 hectares.

Only in very special cases and when the applicants furnish sufficient elements within the legal term to construct primary works of irrigation, of defense, or of breaking can the executive cede as a maximum 100 hectares of irrigable land and 2,500 for the purposes of grazing when the applicant has sufficient elements to develop the land and improve the grazing.

ART. 30. The applicants for land shall address the governor of the State in writing, and shall express:

1. Surname and Christian names, profession or occupation, residence, nationality, civil state, and age.
2. The number of hectares which he wishes to acquire and the class of land.
3. The place where the lot or lots applied for are found and other data relative to their location, expressing the name of the property and of the proprietor.
4. The number of the family which he has in his charge, if he has any dependent upon him, expressing the sex and age of the members which compose it.

ART. 31. The applicants shall prove, in accordance with the respective regulations, the following:

1. To have the draft animals and elements for the cultivation of the agricultural land applied for, or, in the absence of these, the resources necessary to acquire them.
2. To have at least 15 head of greater cattle or 30 of lesser cattle, or, in default of these, the resources necessary to acquire them for the utilization of the grazing land which he applies for; and
3. That they prove that which is expressed in fraction (4) of the previous article if they are not proprietors of the lands, and if they are that they express the area of the lot or lots, their class, location, and other relative data.

ART. 32. When there may be various applicants for the same property, the procedure in order of preference shall be as follows:

1. Mexicans who have served in the constitutionalist army, those who have rendered or are rendering personal services in the Yaqui campaign, the children and widows of these, and other persons who have rendered services to the cause of the revolution lands applied for are located.

2. The persons mentioned in the preceding fraction who are not residents of the place in which the lands applied for are located.
3. Mexicans who are partners or tenants of the property which is to be divided.
4. The residents of the place.
5. Those others who reunite the requisites established in article 27 of the General Constitution of the Republic and in this law.

Art. 33. The governor of the State shall forward all the applications to the agrarian department, where a register shall be kept of these to the end of the proceeding, in order of priority, to the application of the lots solicited and in accordance with the preceding article.

CHAPTER SEVENTH.—OF THE ADJUDICATEES.

Art. 34. The adjudicatees of lots of subdivision shall have the following obligations, saving in case of proven superior force (force majeure):

1. If it treats of agricultural land which is in cultivation at the moment of its subdivision they must have it cultivated in its entirety within the first year to count from the date on which they are given possession of it.
2. If it treats of lands which is not in cultivation at the time of making the subdivision, but which may be immediately cultivable, they must put in cultivation within the first year 50 per cent and the remaining part within the second year.
3. If it treats of grazing land solicited for cultivation they shall enjoy 5 years within which to put all the land in cultivation, and must open each year to cultivation 25 per cent of the total extension adjudicated.
4. If it treats of grazing land solicited for this object they must maintain constantly on it at least 15 head of greater cattle or 30 head of lesser cattle.
5. The terms fixed in fractions 1, 2, and 3 having passed, they can not fail to cultivate the land during two consecutive years.
6. To pay opportunely the annual installments with which they have to amortize the value of the property and the interests which said value bears, as also the State and municipal taxes which are assigned to them.
7. While the price of the lot is not paid in its totality, they can not alienate, hypothecate, nor burden in any manner, nor speculate in any form with the titles of acquisition, any contract or operation celebrated to these ends being null by common right, and the ownership of the said lot shall be transmissible only by title of inheritance until its total value has been paid.
8. To inscribe the lot or lots in the municipal office of appraisal to which it belongs and in that of the public register of property for fiscal and statistical purposes.
9. To personally cultivate or administer the lot or lots adjudicated. Absentee cultivation shall not be permitted, nor the gratuitous cession of title, nor its renting in any form.

Art. 25. When the adjudicatee fails to comply with the precepts of fractions 1, 2, 3, 4, 5, 7, 9, of the preceding article, the Government shall declare the lot or lots which have been adjudicated open to application, publishing such declaration in the Boletín Oficial three consecutive times, eight days apart and making use of any other medium of publicity.

Art. 26. That ordained in the preceding article being complied with, the lot or lots shall be adjudicated to the first applicant who reunited the requisites demanded by this law and who shall pay on account 25 per cent of the sum covered by the departing farmer plus 50 per cent of the improvements incorporated with the lands, and the remainder of the price paid or to be paid in installments fixed in the contract of adjudication. The said 25 per cent shall be delivered to the first adjudicatee, the rest remaining in favor of the State, as also the price of the improvements, the expenses of transfer being for account of the State.

Art. 27. The adjudicatee who infringes the disposition contained in fractions 6 and 8 of article 34 shall be subject to the processes which the relative laws establish, and with respect to the annual installments with which they have to amortize the value of the property and the interests which said values bear shall be subject to that which the contracts of adjudication dispose.

CHAPTER EIGHTH.—OF THE PRICE AND PAYMENT OF THE LOTS.

Art. 38. The value of the property expropriated shall be paid by the government of the State with bonds of the agrarian debt, which shall be amortized in the time and in the form which the material law may fix.

Art. 39. The value of each lot shall be paid by the adjudicatees in 20 annual installments which shall amortize the capital and the interest which these shall earn at the rate of 5 per cent per annum.

ART. 40. The payment of the annual installments must be entered in the sub-department of the general treasury of the State within the first 15 days of the month of July.

ART. 41. The annual installments not entered within the term established shall be subject to the payment of the interest stipulated in article 39.

ART. 42. When the subdivision shall be made by the Government, the value of each hectare shall be that fixed or accepted in the appraisal of collection offices increased 10 per cent plus the amount of the improvements and the proportional expenses caused by the subdivision. The amount of the improvements shall be valued by experts, one named by the owner, another by the adjudicatee, and a third by the Government in case of discord.

CHAPTER NINTH.—GENERAL PROVISIONS.

ART. 43. The lots adjudicated conforming to this law shall pass to the adjudicatee free of all encumbrance, the rights of the creditors of the subdivided property to exercise the actions which the relative laws confer being saved to them.

ART. 44. The simulation of a contract of purchase-sale posterior to the promulgation of this law shall be adjudged as a direct act to evade compliance with the same law, and the lands which are the object of the simulated contract shall be by deed and by right for this sole circumstance subject to the same consequences as the great estates not voluntarily subdivided by their owners.

ART. 45. The difficulties which may be presented for the application of the present law shall be decided by the executive of the State.

TRANSITORY ARTICLES.

ARTICLE 1. The executive of the State is authorized to issue the necessary regulations for the application of this law, and to name the employees of the agrarian department.

ART. 2. This law shall be published by solemn proclamation (*bando solemne*) in all the State on the 27th of July of the current year, entering into force from that date.

ART. 3. For the application of the present law all dispositions which oppose it are declared without effect.

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., August 14, 1919.

AMERICAN EMBASSY,
Mexico City.

2154. With reference to the agrarian law of the State of Sonora and the department's telegram to you of July 16, you are instructed to bring to the attention of the Mexican Government substantially the following:

That the law is ambiguous in many provisions as to the duties, rights, and obligations of the landowners thereunder—for example, the right of landowner to make divisions of his lands by private arrangements, payment of lands expropriated by the State, and the rights of creditors.

The provisions for fixing value of improvements violates article 117 of Mexican constitution, which provides that value of improvements shall be fixed by judicial determination and not by experts only, the form in which this provision provides. It would appear that such a constitution of the board to pass upon the value of improvements does not meet with the demands of even-handed justice.

That the measure provides for taking of property by purely arbitrary administrative action, without due process of law or judicial determination, which violates article 14 of the Constitution: "No person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed."

It is believed that the safeguards provided by said provisions of article 14 prevail generally throughout the world as in accordance with the general idea of justice and equity.

The fact that wise safeguards of former article are just and equitable is not altered by the apparent conflict between said provisions in article 14 and article 27 for administrative expropriation of private property.

The Government of the United States is constrained to renew its protests against the coming into force of the measure in question, in view of the considerations mentioned, on the ground of its ambiguity, that it is confiscatory in character, and that it makes no provisions for due process of law and judicial determination. All rights are reserved in making this protest.

The Mexican Government is hereby advised that the American Government will be forced to take up this question with the Mexican Government for international adjustment and reparation in the event that absolute and even-handed justice is denied American citizens after they have exhausted all proper local remedies.

LANSING.

[Paraphrase telegram.]

DEPARTMENT OF STATE,
Washington, D. C., August 14, 1919.

AMERICAN CONSUL,
Nogales, Mexico:

With reference to your dispatch No. 151, you are instructed to inform the appropriate State authorities that the American Embassy at Mexico City is to inform the Mexican foreign office substantially as follows:

That the agrarian law of the State of Sonora is ambiguous in many provisions as to the duties, rights, and obligations of the landowners thereunder. For example, the rights of landowners to make divisions of his lands by private arrangements, payments of lands expropriated by the State, and the rights of creditors.

The provision for fixing value of improvements violates article of Mexican constitution which provides that value of improvements shall be fixed by judicial determination and not by experts only, the form in which this provision provides. It would appear that such a constitution of the board to pass upon the value of improvements does not meet with the demands of even-handed justice. Article 117, Mexican constitution.

That the measure provides for taking of property by purely arbitrary administrative action, without due process of law or judicial determination, which violates article 14 of the constitution, "no person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed."

It is believed that the safeguards provided by said provisions of article 14 prevail generally throughout the world as in accordance with the general idea of justice and equity.

The fact that wise safeguards of former article are just and equitable is not altered by the apparent conflict between said provisions in article 14 and article 27 for administrative expropriation of private property.

The Government of the United States is constrained to renew its protests against the coming into force of the measure in question, in view of the consideration mentioned, on the ground of its ambiguity, that it is confiscatory in character, and that it makes no provision for due process of law and judicial determination. All rights are reserved in making this protest.

The Mexican Government is hereby advised that the American Government will be forced to take up this question with the Mexican Government for international adjustment and reparation, in the event that absolute and even-handed justice is denied American citizens after they have exhausted all proper local remedies.

LANSING.

AMERICAN CONSULATE,
Nogales, Sonora, Mexico, September 21, 1919.

Subject: Governor of Sonora answers note of protest against new agrarian law.
The honorable the SECRETARY OF STATE, Washington.

SIR: I have the honor to inclose herewith the answer of the State Government to my communication of August 14, 1919, transmitting the protest of the Department of State against the new agrarian law of the State of Sonora.

Inasmuch as this is an important communication, I have had a copy made and carefully compared, and I am inclosing the original, one compared copy of the same, and a rough translation made in this office.

I have the honor to be, sir,

Your most obedient servant,

FRANCIS J. DYER, *American Consul.*

[Translation.]

(Seal.) Office of the Secretary to the governor of the State of Sonora, section of Government. No. 2737.

Replying to your note of the 15th instant, in which you say that under instructions from your Government you permit yourself to call the attention of the Government in my charge to the defects and unconstitutionality (referring to the Mexican consti-

tution) of the Agrarian law of this State, passed by the State congress on the 23d of last June, I wish to advise you as follows:

The points which you touch upon in your note on the subject are expressed as follows:

1. The law is obscure and ambiguous.
2. It is contrary to article 117 of the general constitution of the Republic.
3. That in case the bonds to which the law refers are not paid, through negligence, recourse will be had to the diplomatic methods.
4. That it violates article 27 of the general constitution which provides that the value of the property must be fixed according to judicial determination.
5. That it also violates article 14 of the same constitution which prescribes that no person shall be deprived of his life, of his liberty and property except by process of law and before a competent tribunal.
6. That the law being confiscatory, protest is made against the execution of its provisions with respect to American citizens affected by it, and that they will have recourse to assistance, which is at their service if needed.
7. Finally, you warn this Government that in case justice is absolutely denied to such citizens (that is to say, that if the law be applied to lands possessed by Americans) the Government of the United States will be compelled to take the matter up with the Government of Mexico through the medium of an international tribunal for reparation.

The nature of the referred note being given and the manner in which it is couched, the Government under my direction considers it pertinent and necessary to inform you, first of all, that a State government is not competent to enter upon any discussion of this nature with representatives of foreign Governments, inasmuch as, according to the fundamental law of the nation, judicial notice of these subjects is the exclusive prerogative of the President of the Republic.

Having made this reservation merely as a courtesy to you and in consideration of the friendship and good relations which bind together the Mexican Nation and the United States, without establishing precedents and solely for this occasion, I will permit myself to give you some explanation of the justice and legality of all and each one of the points concerning which you have entered protest.

First point. You affirm that the agrarian law in force in this federative entity suffers from the infliction of obscurity and ambiguity as to several of its dispositions, but you did not indicate precisely which of those provisions were obscure and ambiguous. In virtue of the fact that this executive holds a very different view to yours, I must confine my explanations solely to those points particularly and definitely indicated by you.

You say that the agrarian law does not provide for the compensation that ought to be given to the owners of lands that are expropriated by the State, but it is enough to read article 38 of the said law to see that "the value of the finca expropriated shall be paid by the government of the State with bonds of the agrarian debt, which shall be amortized in the time and in the form that the law on that subject provides." It is necessary, then, to wait until the law to which article 38 refers is enacted in order to be able to judge accurately regarding the matter of compensation. That those bonds can be issued is a matter which is answered in the next paragraph.

Second point. Although you do not indicate which one of the provisions (or sections) of article 117 of the Federal constitution is the one that is violated by the plan laid down for paying those whose lands may be expropriated, it is clear that you meant to refer to VIII, which says textually:

"The States can not in any case issue bonds for public debt or contract obligations in favor of societies or individual foreigners when the titles or bonds must be issued to the bearer or transferable by indorsement." Moreover, the consul has not noticed that article 27 of the same general constitution, which bears precisely on the point of dividing or breaking up the large tracts of land, expressly orders that the "proprietors will be compelled to receive bonds of a special issue to guarantee the payment for the expropriated properties that the General Congress with that object would have to make a law authorizing the States to create an agrarian debt."

Therefore, there is no opposition between the provisions of the agrarian law and article 117 of the constitution, for the said constitution makes that exception to the prohibitions that it imposes on the States in a general manner.

Third point. That in case of negligence in the payment of the bonds, American citizens would be compelled to resort to diplomatic negotiations.

Leaving aside the threat of doubtful propriety that is made to the Government under my charge without necessity or in consequence of violating anything, because no (law or regulation) is yet in effect, in execution of the pending law; that is, the formation of the agrarian debt to which article 38 refers, you will permit me to say to you, that the foreigners, according to the laws and the principles of the judicial science,

will not have any rights except to resort to local measures, the same as the Mexican nationals, and they could resort to diplomatic means only when they had exhausted all of the legal resources in the country. the Government would not apply the law to them in the same manner as to its nationals, and to the most favored foreigners, in accordance with the terms of treaty made with the United States, and then if the foreigner has not renounced the right to appeal to his Government, as wisely provided by our constitutional law, when making special concessions to foreigners, like acquiring a foothold in national territory. (Art. 27 of the constitution of 1917.)

Fourth point. That it violates article 27 of the general constitution, which prescribes that the value of the property is to be fixed by judicial determination. This is another error in your note, which I take the liberty of making plain: If there shall be judicial determination when making expropriation of the land or lands which are to be divided in accordance with the agrarian law of the State. Article 6 says: The procedure of the expropriation will be carried on in accordance with the provisions of the law on the subject. Well, then, the law of expropriation of the State of October 27, 1906, directs: "Article 8. Having made the declaration of public utility. The record shall be referred to the judge of first instance in whose jurisdiction is located the property expropriated, or whom the expropriated designates, if they happened to be in different districts."

The other articles refer to the method of fixing the price of the expropriated property, a matter which the judge will attend to. The procedure, then, is judicial, being in conformity with the mandate in the same article 27 of the general constitution: The laws of the federation and of the States in their respective jurisdictions will determine the cases in which the occupation of private property will be of public utility, and in accordance with said laws the administrative authority will make suitable declaration. The price that will be fixed as indemnity for the thing expropriated will be based on the fiscal value of it appearing in the offices of the tax collectors, and whether the value was declared by the owner or only tacitly accepted by him having paid his contributions on such basis, augmenting it by 10 per cent. The excess in value which that particular property might have because of the improvements that were made subsequent to the date upon which it was appraised will be the only thing which will remain subject to expert judgment and to a judicial determination. This same procedure will be observed with respect to objects whose value had not been fixed in the offices of the public revenues. This general arrangement is entirely in harmony with the provisions of article 42 of the agrarian law, which says: "When the division is made by the Government, the value of each hectare will be fixed or accepted in the tax offices, with 10 per cent added, including also the value of the improvements and the expenses proportionally apportioned to the subdivisions. The value of the improvements will be fixed by appraisers, one named by the proprietor, another by the grantee, and a third who will be nominated by the Government in case of disagreement." Furthermore, the same article 27 expressly enjoins the following precepts: "During the coming constitutional period the Congress of the Union and the State legislatures in their respective jurisdictions will expedite laws for the carrying out of the cutting up of the big properties, conforming with the following bases:

(a) In each State and Territory will be determined the greatest area of land which may be owned by one individual or one legally constituted society.

(b) The excess above the area determined upon shall be subdivided by the proprietor in the time fixed by the local laws, and the fractional parts will be put on sale under the condition that the various Governments approve, according to the same laws.

(c) If the owner should refuse to divide his property, it would be done by the Government, by means of expropriation.

(d) The value of the fractional portions will be paid by annual sums, which will amortize capital and proceeds in a term not less than twenty years, during which time the person who bought it can not dispose of it. The rate of interest will not exceed 5 per cent yearly.

(e) The proprietor will be compelled to accept bonds of a special debt to guarantee the payment of the expropriated property. With this aim the National Congress will at an early date enact a law giving the States the power to create an agrarian law.

(f) The local laws will guarantee the family patrimony, deciding how much property it should comprise, on the basis that it will be inalienable, and will not be subject to seizure or mortgage of any kind. It will not then in any way be contrary to the forms prescribed by the law nor to the manner in which the payments are made of the expropriated lands, and as it is applied equally to all, citizens and strangers, the latter have no right to appeal to their Governments, because they are under necessity of obeying and respecting the laws of the country which extends to them hospitality.

Fifth point. That is also violates article 14 of the same Constitution which provides that no person shall be deprived of his life, of his liberty, and property except by legal judgment and by a competent tribunal.

Having read the foregoing fourth point there remains not the least doubt that in no respect does the agrarian law violate that part cited from article 14 to which you allude. In fact, when depriving individuals of their properties for the purpose of dividing them into small parcels, the expropriation is decreed primarily on the score of public utility; this declaration being made, it goes to some competent judge (his qualifications being stated in the law itself) for the determination of the price. All this is in entire conformity with the postulados of that beneficent article of our Constitution, which you believe it violates, it may be because you did not make a deeper study of the concordance of both laws.

Sixth point. The conclusion that the said agrarian law may be confiscatory or of a confiscatorial nature is entirely a question pertaining to those concerned or affected by it, who will do well, if they so decide, to seek aid, which is the legal recourse that the inhabitants of the Republic have to protect themselves from abuses of the laws or the authorities that attack or presume to trample under foot, their individual privileges. It is righteous that they should proceed so, so that the Supreme Court of Justice of the Nation, the one supreme qualified judge of the constitutionality or unconstitutionality of an act may dictate as it sees fit the determination reached in each concrete case that is brought to its official knowledge.

Seventh point. The Government in my charge feels that the American consul has gone to the extreme challenge when, as already has been said, the law has not been applied nor the enabling laws dictated (creation of the agrarian debt, rules, etc.) that would present an impending menace warranting the tone of his note, all the more when a more detailed study of the agrarian law in question might have changed his excellent and illustrious judgment, for the Government feels that the foregoing explanations are clear and entirely sustained by justice.

In order to bring to a close this extended note, I take the privilege to add that, on treating of such delicate points as trying to make a country change the legislation that it wants to have executed in its own jurisdiction the authorities of the other nations have no right to intervene, as you yourself may be able to see, Mr. Consul, in the authors of the international laws whose literary texts do not allow me to cite, either in the space or in the character of this note, which is merely explanatory, and which serves to efface prejudices and misunderstandings, creating good relations between the foreigners that inhabit this State or have property in it, and the authorities of the same, who on giving out laws such as the one treated of, have not wanted to attack the rights of the foreigners nor make their situation difficult, but rather to follow ideals of justice in behalf of which the natives and foreigners have to sacrifice part of their interests for the general good.

I will now take this opportunity to mention to you that President Wilson himself, on commenting about Mexico, when the two parties, Villistas and Carrancistas, were active, expressly declared that the United States would aid the party that would give more guarantee to carry out the ideals of the Mexican revolution, and one of those ideals, one of the most far-reaching, is relative to the division of large estates that make the immense majority of our farmers change into slaves worse than those of the feudal age.

In other words, I have already shown that knowledge or recognition of these matters is a function of the Federal Government, and that it will know how to find a legal and dignified solution of conflicts of this nature that arise.

Your note being answered, and hoping that you will see in the present one a sincere wish of acknowledgment, it affords me pleasure to present to you my distinguished consideration.

Constitutions and Reforms, Hermosillo, Sonora, September 13, 1919.

ADOLFO DE LA HUERTA,
Governor.

El Oficial i/o.E. del D. General.

Al SENOR FRANCIS J. DYER,

Consul Americano en Nogales, Sonora.

M. PINA.

DEPARTMENT OF STATE,
Washington, November 18, 1919.

DEAR SENATOR FALL: My memorandum of yesterday will convey to you that I do not share completely the conviction that something definite is now likely to be done in the Mexican situation.

The new developments (evidence, etc.), which are available to your committee, may be regarded as of a character rather more startling than the usual run of facts in similar instances. Even so, it is a question whether the cabinet and Congress would regard it as sufficient to precipitate a situation in respect of Mexico which might be fraught with more serious consequences than that which now confronts us.

Should Congress adjourn within a few days, it is conceivable that the new evidence might be used as well after the new session and thus give you a chance to get more of a much needed rest. I do not wish to be considered as doing a thing, or being disposed to do a thing, to delay action for a moment. Having been through similar flurries before, I merely wonder whether this is the final one, which it is presumed, inevitably will come.

Very truly, yours,

B. O.

Hon. A. B. FALL,

Three Rivers Mexico.

For the press:

DEPARTMENT OF STATE.

August 14, 1919.

In view of the long series of murders and outrages of American citizens in Mexico, culminating in the murder of Peter Catron in San Luis Potosi last month, and the perpetration of other acts in disregard of American lives and property, the American Embassy at Mexico City, on July 22, by direction of the Secretary of State, made the following representations to the Mexican Government:

MEXICO CITY, July 22, 1919.

SIR: With reference to the embassy's note dated July 16, 1919, relative to the murder of Peter Catron near Valles, San Luis Potosi, on or about July 7 last, I have the honor to inform you that I am now under telegraphic instructions from my Government to urge upon the Mexican Government the capture and punishment of those responsible for this murder and the adoption of adequate measures to prevent a recurrence of the murder of American citizens.

I am also instructed to state that should the lives of American citizens continue to remain unsafe and these murders continue by reason of the unwillingness or inability of the Mexican Government to afford adequate protection, my Government may be forced to adopt a radical change in its policy with regard to Mexico.

Accept, sir, the renewed assurances of my highest consideration.

GEORGE T. SUMMERLIN.

Charge d'Affaires.

The Mexican reply, dated July 28, signed by Salvador Diego-Fernandez, in charge of the department of foreign relations, and dated July 28, follows:

"Mr. CHARGE D'AFFAIRES: The note which your honor was pleased to send me on the 22d instant advised me of the instruction which you had received to notify this department that if the lives of the citizens of the United States in Mexico continued in a state of insecurity, and if murders should continue because of the unwillingness or inability of the Mexican Government to give adequate protection, the Government of the United States would be compelled to adopt a radical change in its policy with regard to Mexico.

"In reply I have the honor to state that the fact that offenses against the lives of citizens of the United States have occurred in the territory of the Republic can not be notoriously attributed to unwillingness to give protection. The willingness to furnish this protection has been expressed repeatedly, and the material difficulties in the way of fulfilling a promise, supposing that it is not fulfilled, should not be confused with unwillingness to do so, especially as this willingness had been demonstrated by acts.

"Moreover, if we consider the protection of human life in absolute terms, that is to say, if in every case and wherever a citizen of the United States may be within Mexican territory he should enjoy special and effective protection to a degree such that his life may never be placed in danger it is not possible for the Government of Mexico to do this because so perfect a condition of security exists nowhere; with all the more reason is this true, considering the great territorial extent of the Republic, its scanty population, and the difficult conditions which prevail after a long civil war.

"The Government of Mexico has always endeavored as far as possible to give full security to the lives of foreigners as well as of its nationals, but the fact is that foreigners through ignorance, the lack of prudence, or rash eagerness for profit, venture to remain

or to travel in dangerous regions, thereby incurring the risk of becoming the victims of offenses and even trusting to escape offenses because of their being foreigners.

"It should be remembered, moreover, that always when the Government of Mexico has had knowledge of an offense it has pursued the presumably guilty parties. The pursuit in such a case surely is not the same as that ordinarily made in cities in the case of ordinary crimes because the circumstances are different in a populous community.

"In the latter it is relatively easy to identify the guilty party, while in uninhabited places the band which committed the offense is located and pursued, is overtaken and as many as possible are killed without generally being able to identify the really guilty party, because even within the band of offenders itself it is impossible to determine as might be supposed which projectile of a volley caused a murder. The recent Correll case proves that the Mexican Government following this procedure, which is the only possible one, is displaying the greatest activity, because immediately after this murder it was reported forces left in pursuit of the band and killed four of the villains.

"The Mexican Government has been constantly preoccupied with the pacification of the Republic and as a first step has destroyed the principal rebel groups and has conquered the most notorious leaders, as is demonstrated by the conclusion of the recent Villa movement, the death of Zapata, of Blanquet, and Inez Avila, without mentioning the operations against groups of minor importance. A necessary consequence of this progress in the labor of pacification is the existence of some bands, the weak remains of the large groups.

"The Mexican Government has been, and continues, animated by the best of intentions, to eliminate all those difficulties which might disturb its good relations with the Government of the United States and has so proven on repeated occasions. If the Government of the United States wishes its citizens to enjoy greater protection, the Mexican Government, anxiously desiring as ever a good understanding between both Governments, suggests the desirability that citizens of the United States concentrate in the populous places where complete guarantees may be offered them and that these citizens, when they find it necessary to visit the dangerous zones, request sufficient forces for their protection, which will be furnished by the Mexican authorities.

"In the Tampico region the paymasters of the petroleum companies have been offered escorts to accompany them for the safe transportation of funds, and the companies have refused on the pretext that the presence of the escort precipitates the attack of the rebels or that the individuals of the escort do not conduct themselves properly. These are unfounded assertions. Moreover the relation which has existed between those same petroleum companies and the rebels is notorious, it being also suspected that there may have been cases in which the paymasters were in accord with the supposed assailants. The Mexican Government, in order to demonstrate once more its willingness to furnish complete protection, has already formally promised to reimburse the sums which might be taken from the paymasters notwithstanding the presence of the escort, and if this last offer is not accepted the consequences will be the exclusive fault of those same interested parties.

"I believe I have made clear the true situation and the possibility of the Mexican Government giving daily increasing means of protection to life and property as it evidently has done and its undeniable desire to secure every class of guarantees within the national territory. In view of these facts, the menace embraced in your note has surprised the Mexican Government, all the more so since it seems strange that it should be exacted that even in depopulated regions human life should be protected in a more perfect manner than in the most populous cities of the most cultured countries where bloody crimes often occur without the respective governments thereby becoming the object of severe observations."

DEPARTMENT OF STATE,
November 12, 1919.

Secretary of State Lansing made a statement to-day to make clear the Government's attitude on the question of responsibility of Mexico for the safety of Americans in that country. This statement, made in response to inquiries of newspaper correspondents in connection with the case of William O. Jenkins, the American consular agent at Puebla, Mexico, follows:

"The newspapers, in connection with the Jenkins kidnapping case made it appear that I had said that Americans in Mexico had no greater rights to protection than Mexicans. I regret that the context of my comments were not given in full because it would have shown that I was referring to a condition in which the Mexican authorities had employed every means which they possessed or should have possessed to protect the lives and property of aliens in a Mexican community. If the authorities

failed to provide means of protection or to use such means the statement attributed to me would not apply.

"To avoid being misunderstood as to this Government's interpretation of the rule of international law on the subject of responsibility on the part of Mexico for the safety of Americans in that country I make the following statement:

"While in general there is presumed to be no difference between the rights of aliens and the rights of natives to be treated fairly and justly under local laws and by the local authorities, nevertheless should the operation of the local laws or the acts of commission or omission by local authorities result in injustice to Americans or lack of adequate protection of their lives or property, it is the privilege as well as the right of this Government, under international law, by diplomatic intervention to see to it that justice is accorded to its citizens and their rights given proper protection.

"The reason for this is that, when a condition of political unrest and lawlessness exists such as obtains in certain parts of Mexico, aliens being denied proper protection by the authorities must rely on their Government, operating through diplomatic channels, to obtain justice and security. This is a general statement and the basis of the policy followed by this Government, though it is necessarily subject to modification in particular cases.

"It should be borne in mind, however, that the accepted law and practice of nations is that, as a rule, it must be shown that a foreign government is responsible for injustice done to aliens or that its constituted authorities are negligent in protecting their lives and property, before liability is incurred."

DEPARTMENT OF STATE,

November 20, 1919.

The Department of State to-day sent a note to the Mexican foreign office, through the American Embassy at Mexico City, calling for the immediate release of William O. Jenkins, the American consular agent at Puebla.

The note, which is based on the rearrest of Consular Agent Jenkins at Puebla, points out that the United States Government is "surprised and incensed" to learn of the reimprisonment of Mr. Jenkins, particularly in view of the suffering and losses already sustained by him in connection with his kidnapping through lack of protection by the Mexican authorities and in connection with his first arrest by Mexican officials.

The note expressed the view, based on the information in the possession of the Department of State, that his rearrest is absolutely arbitrary and unwarranted, and warns the Mexican Government that further molestation of the consular agent will seriously affect the relations between the United States and Mexico, for which the Government of Mexico must assume sole responsibility.

DEPARTMENT OF STATE,

November 21, 1919.

The following statement submitted to the Department of State by William O. Jenkins, the American consular agent at Puebla, regarding his recent kidnapping, is for immediate publication.

"PUEBLA, MEXICO, November 7, 1919.

"JOSEPH W. ROWE, Esq.,

Vice Consul in Charge, American Consulate General, Mexico.

"SIR: In compliance with your instructions of the 4th instant, I beg to make the following report on my recent experience in being kidnapped by a rebel band of this State:

"On Sunday night, October the 19th, about 9 o'clock, upon leaving my apartment to make a short inspection of the premises, as is my custom before retiring, I was attacked by five men, all armed with pistols, and was told by the leader that if I made any resistance or sound, I would be immediately killed. Knowing the desperate character of such men, and with the odds completely against me, I considered it useless to attempt any resistance, and was searched for weapons, none being found, and then my hands were tied. I thought that these men were mere robbers, as there had recently been in this city, as well as in Mexico, innumerable cases of holdups, and I thought that I was dealing with one of these bands. It is well to state that my residence is located in the southern extremity of this city, adjoining my cotton mill here, and the residence and mill occupy an entire block, therefore I do not have any neighbors nearer than one street away. However my residence is not any great distance away from the heart of the city, as Puebla, although a city of about 125,000 inhabitants, does not cover a very great extension of ground, and my place is only seven cross streets, from the principal street of the city, or a distance of about six hundred meters.

"Upon having my hands tied, I was told by the leader of the bandits to accompany them to the office, and there, the keys to the safes were taken from my pocket, and the entire contents of two safes was robbed, consisting of the sum of 50,263 pesos and 65 cents, Mexican gold and silver coin, as well as two wrist watches, worth about 150 pesos, one pistol worth 25 pesos, one rifle worth 25 pesos, and I discovered later that they had also taken one watchman's pistol worth 50 pesos and one watchman's clock worth 110 pesos, so that my total loss from the robbery was \$50,623.65, 50,623 pesos and 65 cents, Mexican gold.

"It will be understood that in this city there are no banks where money can be deposited, as the Government confiscated all the banks long ago, and until the present time no private banks have been established here, and it is therefore necessary that every business man be his own banker, keeping in his own safe whatever money he may have on hand. It is also known that there is no paper money at present, and all money at present circulating is in coin. It is pertinent to mention that there was the sum of 105 pesos Mexican gold of consular funds in the money taken from my safes and that the office of the consular agency is in the same room as my private office; therefore it may be properly stated that the safes were in the office of the consular agency.

"As soon as the money had been taken from the safes the leader of the band dispatched two of the men with the money, and I neither saw nor heard of them again. I was then informed by him that I was to be taken, which was my first intimation that I was to be kidnapped, and I used every possible argument to dissuade him from that intention, explaining to him that my father had just suffered an apopleptic stroke, and that any great worry would probably prove fatal to him; that my wife was not well and could not stand any great nervous shock; that he had already taken an enormous sum of money from me and that I was not in a position to pay any further ransom. He immediately replied that as far as the payment of any further ransom was concerned I need not worry about it, as he did not want my money, but that he wanted the Mexican Government to pay, not only the ransom that he would demand but the money that he had taken from my safes as well, and that it was absolutely necessary for him to carry me away, on account of the fact that he desired to give a severe blow to the actual Government and could only do that by taking some one with an official character, and that he felt sure the United States Government would exact of the Mexican Government immediate reparation for all loss. I tried to explain to him that he was in error and that it would be very difficult, if not entirely impossible, to make the Mexican Government pay any ransom; that such a proceeding would be very long and tedious, and that in the meanwhile I, an innocent subject of his political plans, would suffer greatly and probably lose my life. He was very profuse in his explanations that he meant no harm to me personally and had nothing at all against me, but that it was indispensable to carry away a "consul" to make his blow be properly felt. Seeing the futility of further argument, I requested that he allow me to speak to my wife, which he very reluctantly permitted, and only after I had pointed out to him that his own plans would be facilitated by her knowing what had happened to me and being able to act more intelligently as regards my ransom. My wife during this time was in our apartments with my sister, and of course knew absolutely nothing as to what was going on.

"The leader of the band accompanied me, with his pistol constantly covering my body, to a point from which I could call my wife, and having called her he immediately made me return to the office, where we awaited her coming. When she came, I explained to her as best I could, considering the state of her excitement and my own, what had happened, and what the men proposed to do, and she united her pleas with my own to the leader of the band, that I not be carried off, offering him everything we had that he wanted, if he would desist from that intention, but it was entirely useless, as he repeated to her what he had told me; that his principal idea was to give a blow to the Government, and that this could only be effected by carrying me off in person. At my wife's request, my hands were untied, but it was impossible for me to make any defense, as the three remaining men held their pistols in constant readiness to shoot, and I knew that any effort on my part to make a defense would certainly be the death of myself or my wife, and probably both of us.

"The leader of the bandits then ordered my wife to call up the British vice consul here, Mr. William Hardaker, an intimate friend of ours, saying that he also wanted to carry him with me, but my wife replied that Mr. Hardaker was in Mexico, and the bandit said no more on the subject. But it is evident that it was his intention to carry Mr. Hardaker with me. It is probable that he intended making me call Mr. Hardaker, for it was certainly not his intention to allow my wife to come to the office, but after she had come, he very likely considered it better that she call him, and not that I do it. I have since learned that on that night there were several suspicious

people immediately around Mr. Hardaker's house, and it is quite possible that it was their intention to capture him on his leaving his house, as he also lives in the extreme eastern limit of the city. The leader of the band had his face covered with a red handkerchief, so that it was difficult to form an intelligent idea as to his appearance, but from later knowledge I am absolutely certain that he was Federico Cordoba, one of the most daring and intelligent of all the rebel leaders that infest this region.

"When my wife and I saw the impossibility of avoiding my being carried off, I gave her brief instructions to what she should do; she requested permission to bring my overcoat, which was granted, and I was immediately taken from my home and conducted on foot to a lonely street behind the general hospital of the city, situated at some distance from my home, but in the same general section. To arrive at this place we had to pass through several streets, but as the city had very poor police service, we saw no police at all, and I was unable to make any effort to escape, especially so as upon leaving my house my arm was tied to the arm of the leader, and I could not get away. The leader and I went in front, and the two other men followed immediately behind me. At the street mentioned, or rather a road, for it is not an open street, we found other men waiting, and after a hurried conversation between them and the leader I was blindfolded, turned around several times to make me lose the sense of direction, and then we traveled on foot for a considerable length of time, more than a half hour, I think, where we found other men with horses, and I was mounted on a horse, my legs tied to the stirrup leathers, and with my eyes completely covered, we started out. My horse was led by the rider in front. We traveled all night, over a good road for a while, but afterwards over very rough country and about 5 o'clock in the morning we stopped, my eyes were unbound, and I found myself amidst a very rough and mountainous country, surrounded by low mountains, so that it was impossible for me to see any landmark from which I could judge my position. But as it seemed very cold to me, I judged that I had been carried to one of the neighboring volcanoes near Puebla, and thought that it was the Malintzi, a large mountain to the northeast of the city. However, this idea was banished later on by the fact that during the day it was very warm, and on account of so many mosquitoes, from which I deduced that I must be lower than I at first thought.

"I was kept busy that day (Monday) in a small cave, guarded by six men, but among them I was unable to recognize the leader of the band who had captured me.

"I was allowed to write to my wife, which I did, and delivered the letter to the man in charge of my guard, whom the men called 'Coronel,' and I presume that he was one of Cordoba's confidential men, and have reason to think he was Cordoba's brother, from later information.

"I was of course very anxious to know where I was, and who my captors were, but in reply to my inquiry as to my whereabouts, I was informed that I was in the mountains, and as to the identity of my captors, I was told that it was "Men of Caraveo." As Marcelo Caraveo is one of the most prominent of all the rebel leaders, I could not know if they were telling the truth or merely deceiving me, but decided on the latter, as I had not heard of Caraveo being near this region lately. However, later developments prove that it was true, as Cordoba belongs to the division of Caraveo and they both depend directly on Pelaez, the rebel leader near Tampico.

"When I first arrived at the cave mentioned I saw in the low mountain just across from the cave quite a number of armed and mounted men, probably about 100. I believe that they belonged to this same band, though I am not sure about it, nor did I ever see them again, as they left soon after my arrival there. I was kept in the cave that day and that night, but on Tuesday morning about 2 o'clock my guards and I mounted on horses and traveled for several hours again, my eyes again covered, and I was unable to judge the direction traveled. About daylight we arrived at the spot indicated for our next camp, and this time it was out in the open, on the side of a mountain and at the foot of a steep cliff, where I was hidden in the low shrubbery growing there. I was changed again on Wednesday morning and again on Friday morning, always moving just before day. I soon formed the conclusion that I was being hidden from other rebel bands, as every precaution was taken to not allow me to be seen, as well as the guards always hid themselves on the approach of anyone. Numerous natives were gathering wood from time to time near our hiding places, as well as charcoal burners, but great care was taken that we be not seen. I saw from time to time numerous bands of mounted men riding around on the mountains, and also many camp fires at night, from which I infer that the region is completely full of rebels.

"On Tuesday night it rained all night, and I was in the open and had no protection whatever from the rain. I was completely soaked, and on Wednesday morning did the best I could to dry my clothes in the sun. This same thing happened on Wednesday and Thursday nights, and on Thursday night I began to suffer severe pains from rheumatism in my right leg.

"This rapidly grew worse, and on Saturday I was in a most deplorable state, being unable to arise from the ground, and suffering constantly the most excruciating pain from my leg. I was unable to eat or sleep and began to have fever. Also the mosquitoes troubled me excessively, to such an extent that my face, neck, and hands were very swollen. For two days my left eye was swollen almost shut, but this might have been from the bite of some other insect. The guards did not treat me roughly, but did what they could, but as they had nothing to give me, I was unable to get any relief of any kind. In fact, I did not even have water to drink, as these men are all accustomed to drink out of the puddles found in the fields and roads, and I was not able to drink this water very well. I often suffered from actual thirst. The repeated wetting suffered by us all did not apparently affect them, and I suppose that they are used to it. Of course, we all passed the nights lying on the ground, with a blanket for a bed, and fortunately I had my overcoat for cover. During this time I had frequent talks with the coronel who guarded me, and until I was taken sick we discussed the press reports of my kidnapping, as we always received the Puebla papers the same day, and he was very angry that the Mexican Government did not at once offer to pay the 300,000 pesos that he demanded for my ransom. My captor had indicated to me and to my wife in my office, before carrying me away, that he would exact this ransom for my liberty. He said that he would hold me until they did, and repeated to me that he did not want me to pay 1 cent, but that the Government must pay. At that time I was not positive whether the "coronel" was the man who had entered my home or not, on account of being much taller and heavier than I had judged my captor to be. I failed to mention also that before I was carried away from my home, the leader told me and my wife that I would be immediately killed if any attempt was made to follow them or to attack them while I was held prisoner, and, of course, my wife's first efforts were to prevent any persecution being made until I was released. "This was secured with difficulty, as the authorities wanted to at once give pursuit to the bandits, but fortunately it was avoided, and my life was thus saved, as I would have undoubtedly been killed in such a case.

"The coronel told me to tell my wife this in my letters, which I did. He also during the days I was with him, instructed me to write my wife to hurry as much as possible the arrangement of the ransom, and gave me a copy of certain conditions that he said had been sent to my wife, in which it was stated that unless the money was paid by a certain date, I would be shot.

"During this time, my friends had been very active to discover my whereabouts, finding great difficulty in doing this on account of the fact that I myself did not know where I was, and on account of the fact that the rebel Cordoba did not want it known that he had me prisoner.

"However, due to my intimate friend, Senor Lic. Eduardo Mestre, I was finally located, on the Friday following my capture, and on that day, Lic. Mestre in a conversation with Cordoba in his camp, secured the admission from Cordoba that he was holding me. I knew absolutely nothing of all this, as up to this time Federico Cordoba had not presented himself to me, but on Saturday afternoon, October the 25th Cordoba himself came to where I was held in company with Lic. Mestre, and I talked with him for the first time.

"He repeated to me in the presence of Lic. Mestre what he had said the night of my capture, and what the "coronel" had told me many times that he regretted having to cause me so much trouble and suffering, but that he himself was only an intermediary, and could not alter the conditions of my ransom, and that it was impossible to release me for less than the sum of 300,000 pesos Mexican gold. As Lic. Mestre saw the deplorable condition in which I was at that time, and as I myself felt that I would not be able to live much longer without medical attention, as my leg was growing worse all the time, I told Lic. Mestre that something would have to be done, and while I had resisted the idea of paying the ransom still I agreed to it, in view of my grave condition. Lic. Mestre explained to Cordoba the impossibility of raising such an enormous sum on such short notice, as well as the inconvenience of trying to bring out such an amount of money in gold as Cordoba had demanded, pointing out to him that the weight of the gold would be about 600 pounds, and offering to pay the money in the form, time and place that Cordoba desired. Also it was pointed out to Cordoba that in case of my death, no ransom could be collected, and he himself saw that I was very ill. Lic. Mestre desired to carry me with him at once, but Cordoba flatly refused such an idea, but after leaving me, he and Lic. Mestre agreed that he would deliver me the next day against the payment of at least 30,000 pesos in gold, all the drafts that could be secured, and a document signed by friends of mine responding with their lives for the payment of this balance.

"The visit of Lic. Mestre was the first time that I knew exactly where I was, or in whose hands I was, although I had formed an approximate idea as to my location before. Cordoba passed the night with me that night, and probably seeing I was very ill, on Sunday morning early, he set out with me in the direction of Puebla. I had to be tied to my horse to keep from falling and at times the pain in my leg was so intense that I almost fainted. We traveled about three hours, arriving at a point called "The Dam," where we waited until 3 o'clock in the afternoon. I thought that I was waiting for my friends to come for me, but it developed later that Cordoba had not brought me to the place where Lic. Mestre was to come with the money, but to a point quite distant, and we were waiting for advice to come that the money had been paid, or was ready to be paid. At 3 o'clock in the afternoon, a messenger came to Cordoba and he then advised me that my ransom had been satisfied and that I was free. He assisted me to a house down by the dam, where there was a telephone with Puebla, and I advised my friends where I was, and they immediately sent for me. Cordoba stayed with me until he knew that I was being sent for and then left. My friends sent for me immediately, and I arrived in Puebla about 6 o'clock on Sunday night, October the 26th. I was taken to the American Hospital here, where my wife was ill, and remained there a week and was then removed to my home. I am recovering rapidly from the effects of my experience and hope to be entirely well in a few days.

"Lic. Mestre waited at another point for Cordoba until late in the afternoon, when he finally arrived, and paid on account of my ransom the sum of 34,000 pesos in Mexican gold, 20,000 pesos in drafts, or a total of 54,000 pesos in cash. He also delivered to Cordoba a written obligation, by the terms of which five of my friends responded with their lives for the payment of the rest of the ransom money, which document Cordoba accepted as cash, and he extended a receipt for the entire 300,000 pesos, as well as for the sum of approximately 50,000 pesos that he had taken from my safes.

"Since my release further payments have been made on account of the balance due, and total payments now approximate 100,000 pesos. It is my intentions to make arrangements as best I can for the immediate payment of all the balance due and recover the document that was extended to Cordoba, thus releasing my friends from the great responsibility they have assumed. I feel absolutely certain that any failure to comply with the obligations of that document would result in the immediate death of these friends and myself, as it is well known that the rebels can with all ease perpetrate most any crime that they desire.

"It is proper to say that the government of this State did not assist in any practical way to my release, for while they did arrest many people and create a great stir by their apparent activities, they did nothing at all of a practical nature, and their activities served more as a disturbance than as an assistance. My release was due to my own friends here. I feel that these men have been instrumental in saving my life, for it is due to their efforts that I was reached in time and ransomed when found.

"I will not say that the payment of this ransom and the money taken from my safe will result in any financial disaster to me, for I have property that is worth more, but it has placed me in an exceedingly critical condition for the moment, inasmuch as I do not have the money to make these payments, and I am therefore attempting to borrow the money for the moment and make the payment and then repay it as I am able to sell some property to pay it back. If I am unable to borrow the money I will be unable to comply with the obligation, as I have no way of realizing this amount of cash on short notice.

"It is worthy of attention to take note of the attitude of the State government of Puebla assumed towards this incident, for almost immediately after my capture the official paper of the governor published the opinion that I had been instrumental in my own kidnapping, and that I had formed a plot with the rebels and other friends of mine to cause international difficulties. Also that it was the intention to collect this ransom from the Mexican Government and divide it, etc. It is impossible to express my indignation at this outrage on the part of the local authorities, and they have persisted in persecuting me in every way possible until a few days ago. Even while I was in the hospital, unable to see anyone, the judge in charge of the case, in repeated instances, attempted to cause me trouble, and it was only by the stand taken by the director of the hospital that I was not annoyed. I am glad to say that the best element of this city has recognized in these attacks only an effort on the part of the governor to avoid the responsibility of his criminal neglect of the protection of the city, and it is a source of much satisfaction to me to have received assurances from thousands of people here in this city and from other places as well that the governor's plan is well understood.

"I will say in this connection that I am not, nor have ever been, an enemy of the governor, but on the contrary have always been on the very best of terms with him, and have been able during his term to render him valuable assistance at different times. This makes his action the more repugnant. It is believed that it was the intention of the authorities to arrest me, for they tried by every means to get me removed from the hospital to my home, and even resorted to having an examination made of my person by a corps of medical men of the city to determine if I could be removed.

"I accepted this examination only because I wanted to show the greatest willingness to assist them in their investigation, but their own doctors were forced to sign a report declaring that I was ill and could not under any circumstances be removed for the moment.

"I have given all the declarations asked for, and stand ready to give any further information that may be required of me.

"Even my friends have been persecuted, and Lic. Mestre, who was so instrumental in saving my life, has been arrested on trumped-up charges, and has actually been declared 'worthy of imprisonment,' and is out on bond.

"It is needless to say that I am assisting him in every way possible and will continue to do so until he is free from further trouble.

"I wish to say that I have always taken proper precautions for the protection of my home, and have a watchman during the whole night, but on the night of my capture the watchman had been overpowered and tied previous to the attack on me. I was told while in the mountains that they had gained access to my house by one of their men slipping into the factory on Sunday morning and hiding until night, when he assisted the others to enter. It is also in order for me to say that before this incident this city was not properly protected, as all the roads into the city were without guards and the rebels were free to come and go as they liked.

"I was told by them that they frequently came into the city on horseback in groups of four and five without suffering the least molestation.

"They always stated to me that it would have been easy for them to capture the city, but they recognized the fact that they did not have sufficient elements to hold it, and for that reason had not attacked the place.

"My home and the whole section in which I live has always lacked sufficient police protection, and before this incident the nearest policeman was five streets from my house. Naturally, the rebels had no fear from that source. I am asking for better protection in the future.

"A very important matter is that, although the local government could hardly be restrained from sending troops out immediately to punish my captors when they learned of my capture, they have made the slightest effort to do so since I returned 12 days ago, although they have been incited to do so, but excuse themselves by saying that they will do so.

"The rebels are only a few miles distant; they have been there for months and years; they plant, cultivate, and gather their crops entirely unmolested; the whole countryside is with them; and yet the Government apparently makes no effort to drive them away and give decent protection to this city. There are in the immediate vicinity of this city not less than a half dozen important bands of rebels, all of them well known to the Government, and no determined effort has ever been made to fight them. This is the situation as it is to-day of this city.

"My entire loss in this matter has been about as follows (Mexican gold):

"Ransom paid and to be paid.....	\$300,000.00
"Money and effects stolen from office.....	50,523.65
"Money taken from my pocket.....	122.00
"Hospital fees for myself and wife.....	320.00
"Expenses for telegrams.....	435.26
"Expenses for messengers to mountains.....	170.00
"Expenses for automobiles and coaches.....	121.00
"Expenses Lic. Mestre while in Puebla.....	550.00
"To be paid to lawyers in his defense, as well as remuneration for himself, as he is a poor man.....	5,000.00
"Total.....	357,341.91"

The following is the text of the Mexican Government's reply, dated November 26, 1919, to the American note of November 20 regarding case of William O. Jenkins, the American consular agent at Puebla.

'Mr. CHARGÉ D'AFFAIRES: I am instructed by the President of the Republic to reply in the form in which I am doing to note No. 1533 of November 20, which you

addressed to the Mexican Government under instructions from the Department of State of the United States.

"I must not conceal from you that the attention of the Mexican Government has been called strongly to the fact that no legal foundation, no principle or precedent of international law, and not even a reason were invoked in demanding the immediate liberty of Mr. Jenkins who, as you know, is at the present moment placed under the authority of a judge in the city of Puebla. The Mexican Government does not see what foundation there may be for such a demand; it believes that it may not be solely the strength of the country which makes it, inasmuch as the United States has characterized itself by its desire expressed on various occasions that right and justice should be the motto of its diplomacy and respect for weak countries the basis of its international relations on the continent; and prefers to attribute the terms of the note to which I reply to an imperfect knowledge of our penal laws.

"The imprisonment of Mr. Jenkins is neither unjustified nor arbitrary as your note asserts, he himself having rendered and signed contradictory testimonies concerning the abduction of which he was the victim. The judge has had sufficient cause for supposing him to be responsible for the crime of rendering false judicial testimony, and this has merited his imprisonment. However, this imprisonment does not in itself signify that Mr. Jenkins is culpable, as this can only be established by a final judgment.

"You are aware that in Mexican penal procedure there are three classes of imprisonment: The preventive, when it is suspected that a person is criminally responsible in a crime; the formal, when there is sufficient evidence against the accused in the opinion of the judge to suppose him to be responsible for the deed; and ordinary imprisonment or the one imposed by a final sentence as a punishment properly so called for the duly proven crime and culpability of the accused. The first two classes of imprisonment are not legally penalties but simply restrictions on the liberty of the accused as a means of investigating the truth.

"The sentence may also establish the innocence of the accused. Mr. Jenkins suffered preventive detention and 72 hours later formal imprisonment. This is the reason for his having been rearrested, and this is the circumstance which appears to be considered by the Government of the United States as a persecution or as a series of molestations being unjustifiably inflicted on the consul.

"During the course of the prosecution the accused may at any time request and obtain his liberty under bail. Mexican law is very liberal in granting it, the request and deposit of the amount fixed by the judge sufficing. Mr. Jenkins, by refusing to exercise this right notwithstanding he has been invited repeatedly to do so, and that the judge has fixed as bond the sum of 1,000 pesos, can not strictly speaking call himself a victim of molestations which he voluntarily inflicts upon himself, and furthermore he is being held in prison with all the attentions and comforts compatible with his condition.

"He being, therefore, subject to a prosecution which is being conducted in accordance with the dictates of law under the authority of a judge whose acts are not secret but are under the constant vigilance of public opinion, which is interested in having the truth become known in this matter, the Mexican Government finds itself unable to grant the demand for liberty contained in the note under reply, and it is supported by strong reasons founded on the law of nations and considerations of a constitutional nature. Under the former it considers that no Government may make a diplomatic reclamation in favor of one of its subjects in foreign countries excepting in the cases of denial of justice or of a notoriously unjust sentence which is also under international law a case of denial of justice, and that the practice has invariably been followed of waiting till the tribunals handling a case concerning a foreigner have pronounced judgment, which I repeat, should it be notoriously unjust would be the sole basis on which a representation could be made.

"As regards the constitutional point of view our political constitution establishes as a mental principle the separation of the attributes of the executive power and those of the judicial department, and therefore the executive is not empowered to interfere in matters pertaining to the latter. Likewise the autonomy of the States is guaranteed by our charta, and by virtue of the federative structure of the Mexican Republic the federal power can not intervene in matters which, like that of Mr. ———, corresponds properly and exclusively to the authorities of the State of Puebla. For this reason the executive could not issue orders to the judge handling the case to have Mr. Jenkins placed at liberty, since that official would with reason refuse to obey the same in case it were given and the executive would thus violate the first principle of government with which he has always endeavored to comply—that is to say, respect of, and securing respect for, the laws of the country. Very well. This conduct, in the

opinion of the Mexican Government, can not affect unfavorably the friendly relations which happily exist between Mexico and the United States, above all as the case is one of so simple a nature in which by complying with so small a requirement, Mr. Jenkins would be placed at liberty, since the equal application to nationals and foreigners alike of the laws of each of the two countries can never be the cause of friction between those countries.

"In the United States, on some occasions, Mexican consuls have suffered imprisonment for deeds coming under the scope of the laws and of the authorities of the country; and the Mexican Government, even though in its opinion such imprisonment was unjustified, has never permitted itself to make the slightest suggestion looking to the nonapplication in each case of the laws of the United States, inasmuch as its practice has invariably been to respect the laws of other countries, and it does not claim that Mexicans abroad should make of their Mexican citizenship a title for exceptions and privileges.

"Neither in the United States nor in Mexico may any citizen under prosecution be liberated by an order emanating from the Executive, and it would be strange that in Mexico an American citizen should have greater rights than those he has in his own country or greater than those which a Mexican citizen has in Mexico. Neither can the Government of Mexico concede to American citizens greater rights than those enjoyed in the United States by Mexicans.

"The Government of the United States appears to act under the conviction that Mr. Jenkins is absolutely innocent notwithstanding the fact that this matter is in the course of investigation. The Mexican Government, without attempting to claim that Mr. Jenkins is culpable, limits itself to submitting the foregoing considerations to the United States, trusting that the Department of State will postpone its judgment until the tribunals have pronounced their sentence, being assured that the officials of the Mexican Government have no intentions of causing molestations or persecutions to Mr. Jenkins, but solely a sincere desire to act with justice.

"This opportunity affords me, et cetera.

"S. MEDINA."

DEPARTMENT OF STATE,
DIVISION OF FOREIGN INTELLIGENCE,
December 1, 1919.

The Secretary of State on November 29, 1919, sent a note to the Mexican Government, through the American embassy at Mexico City, renewing the request of the Government of the United States for the immediate release of William O. Jenkins, the American consular agent at Puebla, Mexico, who was kidnapped at Puebla, subsequently released on payment of ransom, and then arrested by the Mexican authorities at Puebla. The note is in answer to that of November 26, 1919, from the Mexican foreign office.

The note directs the American chargé d'affaires, Mr. Summerlin, to communicate the following at once to the Mexican Government:

"I have not failed to transmit to my Government the note of the Mexican Government dated November 26, 1919, with reference to the case of William O. Jenkins, American consular agent, at Puebla, and I am now in receipt of a reply from the Government of the United States which I am instructed immediately to transmit to you.

"The Government of the United States declines to be drawn into a juridical discussion of irrelevant matters or unimportant incidents brought forward in connection with this case. The Mexican Government can not be misled, as it intimates, by the citation by the United States of 'no principle or precedent of international law, and not even a reason' for Jenkins's release: for obviously no such citation is necessary for the enlightenment of a government of the present day. The Mexican Government believes, and rightly so, that the American request for Jenkins's release is not based on 'solely the strength of the country which makes it,' for it knows the request is founded on the justice of the right of an American citizen and United States consular officer to fair treatment while residing and discharging his duties within Mexican jurisdiction with the knowledge and approval of the Mexican Government.

"The Mexican Government may contend that the imprisonment of the victim is necessary for the investigation by a judge under the 'constant vigilance of public opinion' of the truth regarding his abduction and that a right of release on bail is a palliative for such wrongful imprisonment, but the United States is constrained to the opinion that such arguments are mere excuses. The Government of the United States invites and desires the fullest possible examination and investigation of this case, but it can not admit that it is necessary in order to ascertain the facts that Mr.

Jenkins should be retained in prison even with the privilege of applying for bail. My Government will not and is satisfied that Mr. Jenkins will not place any obstacle in the way of a complete and full examination of himself or his witnesses, or of the events, leading up to and connected with his abduction. The Mexican Government prefers to attribute the American note to an imperfect knowledge of the Mexican penal laws and proceeds to explain with refinement the intricacies of Mexican penal proceedings. But the Government of the United States fails to discern in their application to this case at the hands of Mexican authorities any approximation to impartial treatment of Jenkins, and the Mexican Government knows the absence of such treatment is the reason for the American request.

"The Mexican Government maintains that it can not grant the request of the United States for Jenkins's release for the reason that under international law no diplomatic intervention is appropriate unless a denial of justice has occurred and because the Mexican Government is not in a position to demand Jenkins's release in view of the separation of the executive and judicial powers under the Mexican form of Government and the independence of the State courts, by one of which Jenkins is held. The succinct answer to this contention is, as everyone knows, that a denial of justice has already taken place, and also because the Mexican constitution specifically gives the Federal tribunals, jurisdiction of 'all cases concerning diplomatic agents and consular officers.'

"The United States is not to be driven by such subtle arguments into a defense of its request for the release of Mr. Jenkins. It is for Mexico to show cause for his detention, not for the United States to plead for his liberation. Stripped of extraneous matter, with which the Mexican note of November 26, endeavors to clothe it, the naked case of Jenkins stands forth: Jenkins, a United States Consular Agent, accredited to the Government of Mexico is imprisoned for 'rendering false judicial testimony,' in connection with the abduction of which he was the victim. This is the substance of the Mexican note.

"My Government is pleased to learn that the imprisonment of Jenkins stands on this single, and well-defined ground, and that the reported statements that Mexican authorities had caused the imprisonment of Jenkins because of collusion with his abductors and rebellion against the State are not seriously regarded by your Government.

"In whose interest then is the charge of false swearing brought against Jenkins? His abductors? He is in equity the complainant in the case of his abduction, not the defendant, as the Mexican Government now makes him out to be. The Mexican Government is prosecuting the victim instead of the perpetrators of the crime. While the outlaws, who endangered his life and took away a large part of his fortune, enjoy their freedom, the Mexican authorities now deprive Jenkins of his liberty. Moreover, the ground expressed for the imprisonment of Jenkins, namely, that he is supposed 'to be responsible for the crime of rendering false judicial testimony' must be taken—and my Government directs special attention to this point—as merely an expression of opinion on the part of the Mexican Government as it is entirely unsupported by evidence. There is not produced any of the testimony rendered by him, or any extracts from such testimony tending to show the correctness of this opinion. The Mexican Government can not expect the United States to accept in the grave circumstances of this case such a bare unsupported statement as a valid excuse for the imprisonment of an American consular officer, particularly in view of the fact that the investigation of the case by the representatives of the United States in Mexico, so far as it has proceeded, fails utterly to support this opinion of your Government.

"On the contrary the investigation gives the Government of the United States every reason to believe that Mr. Jenkins has not knowingly given any false testimony in respect of vital points in his case; although he has been harassed by Mexican authorities to give such testimony, even while lying in the hospital too weak and exhausted to make them as a result of his treatment by the abductors, and while he knew evidence was being obtained against him through intimidation of witnesses. So stands the single, unsupported, and my Government believes utterly unfounded, ground alleged for Jenkins's imprisonment.

"What conclusion is to be drawn from such a reply of the Mexican Government other than there has been a studied effort on the part of Mexican authorities to ensnare Jenkins in the intricacies of legal proceedings by alleging the commission of technical offenses, and by bringing unsupported charges against him, for a purpose: In the first place, to divert the attention of the American public and the American Government, and indeed of Mexicans themselves, from the actual situation, namely that Puebla, the capital of the State of Puebla, and perhaps the second largest city in Mexico, is without adequate protection from outlaws who infest the immediate neighborhood and who were accustomed openly and freely to visit the city without hindrance."

rance, that by the failure to furnish adequate protection in this district the Mexican authorities have, through their negligence, made possible the abduction of Jenkins, and that in harmony with such an attitude on the part of the Mexican authorities they have failed to carry out the duty and obligation incumbent upon them to apprehend and punish the bandits concerned in the crime of which Jenkins was the victim. And in the second place it appears to have been the purpose of the Mexican Government to assume a willful indifference to the feelings of the American people that have been aroused to the point of indignation by the exposure, hardships, and physical suffering endured by Jenkins during his abduction and his subsequent treatment at the hands of the Mexican authorities.

"In view of the considerations which have been set forth and in view particularly of the belief of my Government that the charge against Jenkins of deliberate false swearing is unfounded, the Government of the United States must renew its request for the immediate release of Consular Agent Jenkins from further imprisonment.

"LANSING."

No. 174.

LEGACION DE LOS ESTADOS UNIDOS DEL BRASIL,
Mexico, May 7, 1915.

The SECRETARY OF STATE,
Washington, D. C.

SIR: I have been requested by the American Society of Mexico and the international committee to transmit to you the following document:

"The American Society of Mexico and the International Committee of Foreign Residents unit in an expression of thanks and appreciation for the efforts made by the American Government and representatives, through which 34 sacks of foreign mail have just been received here from the accumulations at Vera Cruz, the first from there since February.

"Urgent appeal is hereby made to the Washington Government that effective steps be taken to put the capital city of Mexico again into communication with the world, by the reopening of at least one railway line for traffic to Vera Cruz, or the northern border. Isolation has been almost complete since the beginning of the present year. The movement of passengers, freight and mails has been stopped, and private cablegrams are unwarrantably censored.

"The capital is suffering a lingering death. The indifference of those engaged in the present warfare of factions, toward the necessities of the great majority of the people of Mexico, native and foreign, is daily bringing about greater complications, which will render a solution of the Mexican problem still more difficult.

"The food situation is acute and there is much suffering in the city. Flour is selling up to 1 peso per pound (equal to the daily wage of a common laborer who can not indulge in such food); meat also up to a peso per pound, and corn 25 centavos a pound. Many articles of medical supplies in the city are exhausted and hospitals have been stripped of surgical instruments by outgoing troops. There is urgent need of carbons for street lamps and of other articles vital to public health and protection.

"The Washington Government two months ago renewed its advice that Americans leave Mexico until conditions become more settled and followed it with the suggestion from Gen. Carranza that other foreigners, also, leave Mexico City. Unfortunately there has been no way open to act upon the advice since it was given, even for those Americans and other foreign residents whose circumstances and responsibilities would permit them to leave.

Three travelers were shot last week while trying to get from this city to Pachuca, 50 miles away. A number of Americans who have attempted recently to leave by automobile or other conveyance have been turned back by armed men, regardless of passports some of which were signed by the convention president, Roque Gonzalez Garza.

"The censorship of private and commercial telegrams by the conventionalist authorities here, and also the Carrancistas at Vera Cruz, is so strict that residents can not explain to relatives or correspondents abroad either their situation or their actions. Cablegrams can not be sent if they refer to stoppage of mails or other abnormal conditions, although such interference with foreign service is in contravention of the cable company's franchise, while the country is not engaged in foreign war. Remittances can not be made by mail and this interference with cablegrams renders difficult or impossible arrangement by telegraph of maturing obligations, such as life-insurance premiums and commercial paper. Foreign residents who are awaiting mail remittances from abroad are, many of them, dependent temporarily on assistance from friends here or from relief committees.

"Fresh evidences of anti-American feeling are seen in proposed legislation in anonymous threatening letters, in public speeches, in utterances by delegates in the convention, and in the Mexican press. This attitude toward Americans is justified by Mexicans here, on the ground that the 'United States is showing partiality toward the Carrancista cause.'

"Attention must be called to the report that goods at Vera Cruz destined for the merchants of this city (on some of which the import duties have already been paid) and held for months in Government warehouses at Vera Cruz, because of closing of the railways, are now being removed, without hindrance by the authorities there, and sold or used by persons having no right or claim to warrant such action; and this despite the assurances of protection given by the Carrancista government when the American troops were withdrawn from Vera Cruz.

"The hope is expressed among foreigners here that the special representatives from the United States who are attached to particular chiefs may not be deterred by an excessive desire to maintain agreeable relations with those leaders from furnishing the Washington Government with complete, accurate, and impartial reports of what actually transpires in their locality."

With renewed assurances of my highest consideration, I have the honor to be, sir,
Your obedient servant,

J. M. CARDOSO DE OLIVEIRA,
Brazilian Minister, in charge of American Interests in Mexico.

INVESTIGATION OF MEXICAN AFFAIRS

HEARING

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

SIXTY-SIXTH CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 106

DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS
OF THE UNITED STATES IN MEXICO

PART 22

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GILBERT H. HITCHCOCK, *Nebraska.*

JOHN SHARP WILLIAMS, *Mississippi.*

CLAUDE A. SWANSON, *Virginia.*

ATLEE POMERENE, *Ohio.*

MARCUS A. SMITH, *Arizona.*

KEY PITTMAN, *Nevada.*

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SUBCOMMITTEE ON MEXICAN AFFAIRS.

ALBERT B. FALL, *Chairman.*

FRANK B. BRANDEGEE.

MARCUS A. SMITH.

DAN M. JACKSON, *Clerk.*

INVESTIGATION OF MEXICAN AFFAIRS.

WEDNESDAY, MAY 19, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to adjournment, at 2.30 o'clock p. m., in Room 128, Senate Office Building, Senator Albert B. Fall, presiding.

STATEMENT OF ADMIRAL WILLIAM BANKS CAPERTON.

The CHAIRMAN. Admiral, we have been in the habit of administering an oath to the witnesses, but in your case that will not be required. You have taken an oath to support the Government and Constitution of the United States.

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. You may state your full name?

Admiral CAPERTON. William Banks Caperton.

The CHAIRMAN. What has been your profession?

Admiral CAPERTON. The naval profession, sir.

The CHAIRMAN. When did you enter the profession?

Admiral CAPERTON. June, 1871.

The CHAIRMAN. During recent years, particularly from 1915 down to and through 1919, what rank have you held in the Navy?

Admiral CAPERTON. I was rear admiral up to July, 1916, when I became a full admiral, and was commander in chief of the Pacific Fleet.

The CHAIRMAN. Are you now retired?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. When did you retire?

Admiral CAPERTON. June 30, 1919.

The CHAIRMAN. During the year 1915, or a portion of that year, where did your duties call you?

Admiral CAPERTON. In Haiti and the east coast of Mexico, the Gulf of Mexico.

The CHAIRMAN. When did you take charge on the west coast of Mexico?

Admiral CAPERTON. I took charge on the west coast of Mexico on July 28, 1916.

The CHAIRMAN. Admiral, the committee has been anxious to have your statement as to what you discovered generally about the conditions, what your ideas are about the conditions in Mexico, and your experience there in dealing with the Mexican Government, or any of the factions, your orders, etc., reports you may have made which you are able to give the committee, and we ask you to go ahead in your own language and make your own statement.

Admiral CAPERTON. I desire to preface my remarks with the statement that I was senior officer present on the east coast of Mexico from March to June, 1915, and was commander in chief of the Pacific Fleet from July 28, 1916, until April 30, 1919. I operated in the Pacific from the time I took command of the Pacific Fleet until the latter part of May, 1917, when the larger part of my force including myself in my flagship were transferred to the Atlantic to take part in war operations.

During the time I was senior officer present on the east coast of Mexico; that is, from March to June, 1915, Gen. Carranza was the head of the de facto government of Mexico with headquarters at Vera Cruz, but he had not as yet been recognized by the United States. Carranza was first chief of the Constitutional Army in charge of the executive power, and Gutierrez was in Mexico City as provisional President of the Republic elected by the convention of Aguascalientes. Villa and Zapata were both active against each other and against the other two as well. It is interesting to note that within three days after the evacuation of Vera Cruz by the American forces and approximately one month after his recognition by the United States Carranza found it desirable to transfer his headquarters to Vera Cruz, a seaport town at one end of his country.

I made arrangements at Tampico at a time when the Villistas were threatening the city, to use one of the German interned vessels as a place of refuge for foreigners. I sent a boat up the river to consult with the Villista general and this boat was fired upon but no damage incurred and the officers succeeded in communicating with the Villistas for the purpose of protecting foreigners in case of an investment of the city.

While I was at Vera Cruz and Carranza had his headquarters there, I consulted frequently with the State Department officials and from what I gathered, I trust that they did not transmit verbatim all the notes received from the Mexican authorities.

The CHAIRMAN. Admiral, might I ask you not as to the contents of those notes, but why you expressed the hope that those notes have not been transmitted verbatim?

Admiral CAPERTON. As I understand, they were not very complimentary and rather impertinent, and not such as I expected would be written to our Government.

The CHAIRMAN. They did not by any means meet with your approval, as to the character of diplomatic or other notes which should be submitted to a Government?

Admiral CAPERTON. No, sir. Of course, I did not see the notes, but that was generally understood.

The CHAIRMAN. Who was, at this time, if you know, acting as diplomatic representative of the United States in Mexico?

Admiral CAPERTON. I think Mr. John R. Silliman was special representative of the President.

The CHAIRMAN. Prior to or at the time that Carranza occupied Vera Cruz, do you know whether the affairs of the American Government generally had been placed in the hands of the representative of any other country—the Brazilian minister or other foreign representative?

Admiral CAPERTON. I can not recall that just now.

The CHAIRMAN. Very well, you may proceed.

Admiral CAPERTON. West coast—conditions in the fleet when I assumed command. First. On July 28, 1916, I assumed command of the Pacific Fleet, at San Diego, Calif., hoisting my flag on the armored cruiser *San Diego*. I found that all available ships in the Pacific had in June been ordered to Mexican waters, and that Admiral Winslow whom I relieved had distributed them on the day I took command, as follows: Acapulco, U. S. S. *Pittsburgh*; Guaymas, U. S. S. *Cleveland* and U. S. S. *Yorktown*; La Paz, U. S. S. *Milwaukee*, U. S. S. *Denver*, supply ship, eight destroyers, and two colliers; Mazatlan, *South Dakota*; Topolobampo, *Annapolis*; Manzanillo, U. S. S. *Maryland* and U. S. S. *Raleigh* (en route); Salina Cruz, U. S. S. *Colorado* (Rear Admiral Fullam) and U. S. S. *Chattanooga*.

This distribution of ships to Mexican waters had been due to developments in Mexican affairs. Just previous to this our troops, entering Mexico as a punitive expedition against bandits, had been fired upon near Parral and a boat attached to the U. S. S. *Annapolis* had been fired upon by natives at Mazatlan. As I remember, Admiral Winslow's instructions as turned over to me were: (a) To order all available ships to Mexico, (b) not to land unless directed by the department.

The CHAIRMAN. What was about the date those orders were turned over to you?

Admiral CAPERTON. July 28.

The CHAIRMAN. In the year 1916?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Very well, you may proceed.

Admiral CAPERTON. (c) To encourage Americans and other foreigners to leave Mexico until conditions became more settled and to facilitate the departure of such Americans and foreigners; (d) to allow no unnecessary communication with shore in Mexico.

Second. My instructions and policies outlined to me. In traveling from Haiti to assume command of the Pacific Fleet I was directed to proceed via Washington, which I did, reporting to Admiral Benson, Chief of Naval Operations. Admiral Benson impressed upon me very strongly the desire of the Government to keep out of trouble with Mexico. I was to take drastic steps in carrying out the instructions already given to Admiral Winslow to prevent the creation of any situation by the Navy which would involve the two Governments. I was not to start trouble and as far as possible I was to see that the Mexicans had no opportunity to start trouble with the Navy. In carrying out these policies I issued the following circular letters:

1. The commander in chief has not been informed of any change in the policy of the Government regarding Mexico since the instructions issued during the crisis in June. The situation remains acute and every endeavor must be made to carry out the wishes of the department that the Navy take no chance at causing or being a party to trouble with Mexico. All intercourse with Mexicans must be avoided, except such as may take place aboard our own ships or in making calls aboard Mexican men-of-war. Senior officers present at the various ports must not be misled by an apparent improvement in local conditions. The general condition of the country will eventually dominate. One irresponsible native, if he has the opportunity, may provoke matters. It is against such a contingency that we must always be on our guard. The policy remains that Americans should leave Mexico and our ships afford them refuge until transportation is available.

2. The department's message "Allow no unnecessary communication Mexican shore until further orders" will be interpreted as follows:

(a) Ships to anchor in such berths as to reduce to a minimum danger from attack by organized bodies or irresponsible individuals, and in such position that exit to sea can not be made hazardous.

(b) No officer or man to land on Mexican territory except in case of urgent necessity.

(c) Ship's boats not to go in to landings except when absolutely necessary. When officials or prominent people on shore are desired on board for the acquisition of information, and it is impracticable for them to come out in shore boats, ship's boats may touch at landings during daylight to bring them off and land them ashore, but ship's boats are not to remain alongside landing. Refugees may be brought on board under the same restrictions. In each specific case of a ship's boat going in to the landing, the senior officer present shall satisfy himself as far as possible that local conditions warrant such procedure.

(d) Fishing and boating parties should keep well clear of the shore.

(e) In all cases, the senior officer present at each port will be held strictly accountable for any future embarrassment to the Government, within his jurisdiction, which might have been avoided.

W. B. CAPERTON.

Third. In view of an apparent ignorance at Manzanillo concerning the reasons for our nonintercourse with shore, I transmitted the following confidential letter to the vessels of my command:

UNITED STATES PACIFIC FLEET,
U. S. S. "SAN DIEGO," FLAGSHIP,
Manzanillo, Colima, Mexico, August 14, 1916.

Confidential.

To: Commander reserve force, United States Pacific Fleet, commander coast torpedo force, United States Pacific Fleet, and all commanding officers, United States Pacific Fleet.

Subject: Nonintercourse with shore, Mexican waters.

1. The commander in chief has been informed that the inhabitants of at least one Mexican port are in ignorance of the Mazatlan incident and that they consequently misconstrue our lack of communication with shore.

2. The commander in chief desires that it be impressed upon Mexican officials, directly, when on board our ships, or through our representatives, that this condition of nonintercourse with shore has been brought about by the Mexican people themselves through the unfriendly acts of their countrymen at Mazatlan in an unwarranted attack by rifle fire upon one of our ship's boats; that the Navy regrets that its continued feeling of friendship toward Mexico has apparently not been reciprocated, as evidenced by the above occurrence; that, therefore, in its desire to avoid any possible future trouble by a repetition of the Mazatlan incident or by other unlawful acts of irresponsible persons, it is prompted to restrict communication with shore, and thus prevent subjecting its personnel to possible further insult; that our ships in the various ports are not to be regarded as a menace, but are there for the purpose of transporting to other parts our subjects, as well as those of other foreign countries who may desire to leave on account of unsettled conditions.

W. B. CAPERTON.

The CHAIRMAN. Admiral, would it interrupt you to ask you what induced you, or what caused you, to use the statement in the letters of instructions or orders which you have just quoted, to the effect that you knew that the people of at least one community had been misinformed as to the Mazatlan incident, and did not understand it?

Admiral CAPERTON. The general in command of the Mexican forces at Manzanillo came on board ship at my invitation and called upon me, and while there I was surprised to hear his remarks about why we did not land and were not communicating with the shore. I then repeated to him about what I said in this letter, and he was very much surprised to hear such remarks, and then he told me that he had heard, or had been instructed by the Government, that we had caused all the trouble, commenced the row, and that the fault was all ours.

The CHAIRMAN. Did he mention the name of his informant, who transmitted that information to him?

Admiral CAPERTON. To the best of my memory, he told me that Gen. Obregon had issued the letter, or informed him of that occurrence.

The CHAIRMAN. That is, that he had issued the letter to the subordinate under him who was in charge at Manzanillo.

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. And the information he had was to the effect that the Mazatlan incident was due to the aggression of the Americans?

Admiral CAPERTON. Yes, sir; entirely.

The CHAIRMAN. And the fault was entirely theirs?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Did he indicate to you any orders or instructions he had received in connection with that letter, or did he just simply mention it?

Admiral CAPERTON. No, sir; he just mentioned the incident, and was surprised when I told him the truth about it, was very much surprised.

The CHAIRMAN. Very well, you may proceed.

Admiral CAPERTON. General conditions. Upon assuming command I started out in my flagship to make a tour of inspection of the West Coast of Mexico, visiting the principal seaports. I did not go ashore at any of these places nor did anyone from my flagship. I would send a radio ahead to one of our ships that was in port and ask her commanding officer to arrange for the consuls and Mexican officials to come off to my flagship immediately upon my arrival. The commanding officer would arrange this by communicating ashore by radio or through private shore boats. I obtained all my information in this manner. The following is a summary of my report following this inspection:

The CHAIRMAN. That report was an official report made to your superior officer?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. In tabulated form?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Would it answer your purpose as well to file it and let the reporter put it in the record, instead of your reading it?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. It can be returned to you afterward.

Admiral CAPERTON. Yes, sir. I should like to have it returned. It belongs to my private file.

The CHAIRMAN. If you will allow us to use it, we will have a copy made for the record.

(The report referred to is as follows:)

SUMMARY.

La Paz: Americans and foreigners, 10; in vicinity, 5.

Salina Cruz: Americans and foreigners, 4; in vicinity, 60.

Acapulco, Americans and foreigners, 2.

Manzanillo, Americans and foreigners, 4; in vicinity, 90; number recently returned, 20 or 30.

Mazatlan, Americans and foreigners, 60; in vicinity, 200; number recently returned, large percentage.

Topolobampo: Americans and foreigners, none; in vicinity, 60; number recently returned, several.

Guaymas: Americans and foreigners, 2; in vicinity, 80; number recently returned, 70.

MEXICAN TROOPS.

La Paz, 100; one-half of these troops recently brought from Santa Rosalia account smallpox scare.

Salina Cruz, 50; Under command of Capt. Manuel Diaz C.

Acapulco, 150; Military operations in the State against Zapatistas reported successful.

Manzanillo, 100; About 900 troops in State of Colima under command of Gov. Juan Jose Rios.

Mazatlan, 500; Bulk of the State troops at Culiacan, under Gen. Flores, who is temporarily in Mazatlan.

Topolobampo, none; no regular garrison is kept at Topolobampo.

Guaymas, 500; no regular garrisons in valley proper; soldiers only at garrisons along railroad. About 6,000 in all, in these various garrisons.

FINANCIAL QUESTION—VALUE OF PAPER MONEY.

La Paz: With the exception of Mexican National Bank and State bank notes, the only money circulating at present in Lower California, is silver.

Salina Cruz: Since July 1 the standard money, declared legal tender, is the recent issue of infalsificables. This was placed on the market as elsewhere and ordered by the Government to be accepted at the ratio of 10 to 1. The 5 peso, 2 peso, and 1 peso issues of Vera Cruz paper money were allowed to circulate as small change. These being accepted at a 10 to 1 ratio on the infalsificable issue which makes this small change 100 to 1 "oro nacional." The Government will not accept paper money for duty, but requires silver or American gold. On July 23 an order was received from the director of telegraphs that infalsificables could be received at the ratio of 25 to one.

Acapulco: The money question continues serious. There is very little silver currency in town, but prices are quoted sometimes in silver rather than in paper, the former of course being lower. Infalsificables are quoted 40 to 1. The Vera Cruz issue, used for small change, is quoted at 10 to 1 on the infalsificables.

Manzanillo: Infalsificables are quoted here at the ratio of 20 or 25 to 1 despite the Government's edict of 10 to 1. Certain Vera Cruz bills up to 20 peso notes are accepted in the varying ratio of from 10 to 50 to 1 on the infalsificables. The same trouble exists in Manzanillo as elsewhere concerning importation. Firms do not care to import when the import duties must be paid in gold or silver and their sales bring them only paper money.

Mazatlan: Infalsificables are quoted at 30 to 35 to 1. Certain issues of Vera Cruz money are also accepted at a varying rate of from 10 to 30 to 1.

Topolobampo: Infalsificables at varying ratios.

Guaymas: Information was received that the Mexican Government has changed its attitude in regard to its insistence of the 10 to 1 standard on the infalsificable issue of paper money; that people would now be permitted to trade in this money according to local quotations. No solution to the financial question can be seen at the present time.

FOOD QUESTION.

La Paz: Food at present plentiful.

Salina Cruz: No flour in town. Natives live on bananas, corn, and such green stuff as can be obtained from the immediate interior. The peon will not suffer materially from the lack of food as there is a considerable amount of small gardening, but it will be very difficult in the near future for any of the higher class of people to exist satisfactorily.

Acapulco: Food question generally serious, but not immediately so, on account of produce being raised and foraged from woods.

Manzanillo: Not immediately serious. Very little flour in town; none coming in. Great deal of cattle outside of Manzanillo.

Mazatlan: Food situation improving, still very unsatisfactory. Very little corn available in city. Fresh products from the immediate vicinity is the principal source of supply.

Topolobampo: There is a general scarcity of corn, though the Indians and Mexicans have planted some during the rainy season. Corn is best obtained from Guasave, south of Mochis. No immediate shortage of food. Satisfactory at Mochis.

Guaymas: The food situation is better than it was some months ago. Crops are said to be sufficient to feed this part of the country in the immediate future. Little importation is going on. General restriction on shipments of food by merchants from one town in the State to another.

MILITARY ACTIVITIES.

La Paz: None.

Salina Cruz: Carranza garrisons now located at Salina Cruz, Tehuantepec, San Geronimo, Rio Verde, Rincon, and Santa Lucretia along the railroad. "Reactionaries" operating in Chiapas and against Gov. Castro at Oaxaca.

Acapulco: Military operations in the State against Zapatistas are reported as having been successful. No trouble with Zapatistas anticipated.

Manzanillo: Carranzistas in full control of the cities in the State but not in the outskirts. Villistas, numbering several thousand, under Gen. Norena and Gen. Guzman, operate in States of Michoacan and Jalisco. Villistas reported very strong in Michoacan. Have recently seized San Telmo light.

Mazatlan: The bulk of State troops are at Culiacan, the capital. Soldiers in the city carry arms only when on duty. Regular police also carry arms on duty. No military activity.

Topolobampo: None. Small guard of a few men at Mochis.

Guaymas: Conditions in Yaqui Valley reported very unsatisfactory. Carranza forces under Gen. Madrigal said to have been as destructive as the Indians. With the recent relief of Madrigal and withdrawal of troops, conditions as regards Mexican element expected to improve, but danger from raids by Broncho Yaquis is increased. Troops removed from valley proper, but stationed in garrisons along railroad as far inland as Buena Vista.

RAILROADS.

La Paz: None.

Salina Cruz: Railroad operates train daily; rolling stock in very bad shape; little business.

Acapulco: None.

Manzanillo: The railroad operates about one train per day. Mail service is in working order.

Mazatlan: Trains operate irregularly, due principally, it is claimed, to washouts.

Topolobampo: Trains operate about twice weekly.

Guaymas: Triweekly train service with the United States has been put in effect. The operation of the railroad has now passed from Government control back into the hands of the Southern Pacific Co.

TELEGRAPH AND RADIO STATIONS.

Las Paz: Telegraph to San Jose del Cabo.

Salina Cruz: The local office of the Central and South American Telegraph & Cable Co. is open for business, it being managed by Mr. William Wiseman, British vice consul. Small radio station is to be removed to Oaxaca.

Acapulco: Small Mexican radio station—telegraph generally out of commission.

Manzanillo: The local telegraph office is in operation. Radio station in operation.

Mazatlan: Radio station in operation. Telegraph occasionally in operation.

Topolobampo: Telephone to Los Mochis. Telegraph from Mochis.

Guaymas: Radio station and telegraph in full commission.

SHIPPING.

La Paz: American steamers *Golden Gate*, *Anvil*, *San Pedro*; occasionally Mexican, *Korrigan II*.

Salina Cruz: Small British steamers, occasional Japanese and small American steamers.

Acapulco: Generally none except gunboat *Guerrero*, which brings food.

Manzanillo: American steamer *Centralia* and others with dynamite for mine companies, and general cargo.

Mazatlan: Little shipping, occasional vessel stops in with general cargo.

Topolobampo: Scarcely any shipping at all.

Guaymas: Negligible amount of shipping.

Soon after submitting the above report I received the following telegram from the department:

SEPTEMBER 9, 1916.

Department of State desires to obtain immediately, for information American commissioners, telegraphic report covering new developments in Mexico as follows: First, political conditions; second, financial conditions; third, food and economic status; fourth, resumption of work in mining districts; fifth, manifest betterment or reverse in transportation facilities since recognition; sixth, general attitude authorities and populace toward foreign interests. Submit telegraphic report to Navy Department.

I replied to his telegram as follows:

SEPTEMBER 10, 1916.

GOVT. OPNAV., *Washington.*

First. Government forces in control principal towns and in general control west coast. Villistas reported active in States of Jalisco, Colima, and Michoacan. Reactionaries active in State of Oaxaca. Zapatistas in State of Guerrero passive at present. Yaqui Indians questionable factor in State of Sonora: Mayo Indians reported broken up as unit. No apparent interest recent municipal elections; no voting at all Manzanillo; few votes elsewhere. People generally indicate passive faith in government except Guaymas district, where antagonism de facto government said to be growing.

Second. Financial question considered very serious and present greatest problem. Business interests are demanding sound financial basis. Enforcement by military authorities of various paper currency on people, its depreciation and subsequent annulment, and frequent changes in paper currency have stagnated business. People have no faith in paper currency. No silver in circulation except Lower California and small amount Manzanillo. Latest issue infalsificables greatly depreciated. Merchants will not import because duties must be paid in gold or silver and sales made for paper.

Third. Food question improved somewhat since June, especially La Paz, and not immediately serious for peon class, but improvement considered only temporary, due to general cessation agricultural pursuits. Very little importation and general scarcity corn and flour. Foodstuffs generally under supervision military authorities, who restrict shipments and occasionally commandeered paying in paper. Food in general use is uncultivated products from surrounding country. Economic conditions bad, because capital lacks confidence and labor lacks employment.

Fourth. Mines reported resuming work to certain extent, taking chances rather than close. Strikes occasionally agitated. Trouble experienced obtaining supplies. Laborers prefer payment in food and supplies rather than depreciating paper currency. Military authorities State of Jalisco and Colima have facilitated shipments for mine companies to and from Manzanillo. Richardson Co., Yaqui Valley, and United Sugar Co., Moctis, rather inactive, awaiting developments. Industries as a whole not operating to any extent.

Fifth. Transportation by rail generally improving. Rolling stock greatly deteriorated. Train service with irregular schedules reported in operation Guaymas, Topolobampo, Mazatlan, Manzanillo, Salina Cruz. Little shipping by sea.

Sixth. General outward attitude authorities cordial, populace indifferent. Believed generally suspicious Americans and would be actively antagonistic slightest excuse. Americans returning Yaqui Valley found peons occupying farms reluctant to move off claiming Mexican authorities in June authorized confiscation American owned lands.

Attention invited my written report August 21.

CAPERTON.

The CHAIRMAN. That telegram or radiogram which you have just read was in answer to the department's inquiry?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Based upon the fact that the commission wanted that information?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Do you recall what commission that was? Was it the Mexico-American mission headed by Secretary Lane on the one side and on the other by the later Mexican ambassador, Bonillas, Luis Cabrera, and others?

Admiral CAPERTON. I am unable to state, sir. I do not know.

The CHAIRMAN. You do not know what commission wanted that information?

Admiral CAPERTON. No, sir.

The CHAIRMAN. You had, however, prior to the receipt of this telegraphic request already covered these various matters in your report?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. If the Navy Department had examined your report they could have ascertained these facts without wiring you specifically for them, I presume?

Admiral CAPERTON. It should have been in the department at that time, sir.

The CHAIRMAN. Very well; you may proceed.

Admiral CAPERTON. Impressions of political situation. General warfare has now been going on in Mexico for a number of years. The peon has been weaned away from agriculture and other peaceful pursuits in order to ally himself to one or another of the various leaders that have obtained local control. I believe that the peon has wearied of the continuous strife, and were it not for the ambitious agitators he would gladly resume his work of tilling the soil or mining its products provided he can be protected and has not become so hardened as to prefer the probably more profitable and less-irksome occupation of serving some chieftain in local power for the time being.

However, there is no incentive for him to return to profitable peaceful pursuits, for no sooner are his crops harvested or success attained in some other line than raiders appear or taxation and confiscation otherwise rob him. I do not believe that peace and law and order can be restored in Mexico except by a dictator, be he from within or from without. The country to my mind is disintegrating into the tribal state. At one time I learned of a considerable movement of Mexican troops from Sonora to Jalisco and vice versa. I learned that this was being done because the troops that were in Sonora originally came from Jalisco and therefore they did not care to fight in Sonora, and on account of the discontent they had to be returned to Jalisco. The same seems to apply to all troops that were sent out of their own States to fight.

I do not believe that the majority of the military leaders purpose to serve any central government except as may be personally agreeable or profitable. There may be some who are anxious to really have a strong central government, but I do not think that any central government can muster enough adherents or strength at this time to enforce itself throughout Mexico. The many years of strife have so rent the country that it would certainly take a phenomenal Mexican to piece and hold together the scattered remnants. The Mexicans travel little.

The residents of one State do not know much of the other States. They have their own interests and do not care to have officials of other States unknown to them dictate their affairs. A central government means to them only additional taxation interference. I do believe that a great number of the better class of Mexicans have endeavored to keep clear of political and military developments and are as anxiously as we awaiting a return to more settled conditions.

A number of them have exiled themselves until the establishment of a central government that can really rule. I have always found the authorities most polite and courteous. It is a trait of the Latin race. I believe that at least some of our difficulties with Mexico have been the result of our lack of understanding of the Latin race and temperament. To obtain a desired result, the method of approach and conduct with a Latin should be different from that accorded an Anglo-Saxon or other race.

Foreign activities in Mexico. (a) Movement of Japanese subjects along the coast: On various occasions I was informed of a possible concerted movement on the part of the Japanese to smuggle immigrants into the United States through Mexico. The Japanese maintain a line of steamers to Salina Cruz and occasionally to Manzanillo, and upon arrival at these ports it would be reported that some Japanese would be landed. As far as I could ascertain there is without doubt a certain unlawful influx into this country of Japanese via Lower California and the mouth of the Colorado River, but it is not believed that this indicates a general organized movement on the part of the Japanese, but is simply for the commercial benefit of the individuals or companies concerned. No activities other than unlawful entry into the county have been discovered. As far as could be determined, the Japanese along the coast were engaged principally in the fishing business.

In February, 1917, the Japanese steamer *Kotohira Maru* arrived at Manzanillo from Japan and landed 900 cases, ranging in weight from 100 pounds to 10 tons each, which contained machinery for an ammunition plant, and machine guns, rifles, and potash. The alleged destination of the material was Mexico City.

(b) Activities with Salvador: In November, 1916, it was reported that the Mexican transport *Jesus Carranza* had sailed for Salvador to obtain some arms and ammunition that had been taken there when the Huerta forces evacuated Guaymas, Manzanillo, and Mazatlan in 1914. This activity in Salvador caused a suspicion that the arms and ammunition might be intended for the discontents of Nicaragua, of which there were some due to the presidential elections held shortly before. It had been reported that Irias, who was active in Nicaraguan affairs and who had taken part in the revolution of 1912 might possibly be fomenting trouble for the Nicaraguan Government, especially in view of his recent failure to establish himself in Nicaragua. It was known through rumors and through the press that Irias was contemplating the establishment of a supergovernment of Central America with himself at the head. German agents were supposed to be active in this plot, basing their activities from Mexico City. Irias was to head revolutions in Nicaragua, Salvador, and Costa Rica, and then overthrow the other countries. The existence of this plan was confirmed by persons in Guatemala when I visited that country in May, 1917, to thank President Cabrera for breaking relations with the Imperial German Government. I ascertained at this time that the reasons that Guatemala had broken with Germany in reality:

(a) Fear of aggression by Mexico and Salvador.

(b) Opportunity to increase friendship of United States with consequent advantages in trade and protection.

(c) Opportunity to confiscate large German estates.

(d) Desire to strengthen Cabrera administration. Therefore, it could well be believed that the activities of the *Jesus Carranza* might be in connection with this superplot concocted by German agents in Mexico and Central America and by Irias.

I directed two of my ships to quietly shadow the *Jesus Carranza*. I was informed that the *Jesus Carranza* had taken on arms and ammunition at Acajutla and at La Libertad, and one of my vessels trailed her sufficiently to determine that she was destined for a northern rather than a southern port. About November 29, 1916, the *Buffalo* at Manzanillo reported the arrival of the *Carranza* at that place and that she had discharged about 100 miscellaneous packages of ammunition and quite a number of Mauser and Remington rifles. These were shipped supposedly for Mexico City. Some weeks later the *Jesus Carranza* fitted out for a return trip to Salvador, and on January 8, 1917, sailed for Manzanillo carrying complete radio outfit, including towers and an aeroplane said to be a present from the Mexican Government to the Government of Salvador. The *Jesus Carranza* returned to Manzanillo on February 13 with another shipment of arms and ammunition.

Conclusion: While in command on both coasts, I made every endeavor to be nearest the possible scene of trouble and to make dispositions to protect Americans and other foreigners. In case of fighting ashore in the cities between the various factions, I endeavored to have the leaders establish neutral zone. I knew that it was my mission not to be a party to bloodshed or the use of force unless directed by the department, and my protection consisted, therefore, mainly of protests and asylum.

The CHAIRMAN. Admiral, you have stated as one of the reasons for Guatemala breaking relations with Germany their desire to strengthen the Cabrera government. The Cabrera government to which you refer is that of Estrada Cabrera, the President of Guatemala?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. This general summary of your impressions, with reference to political as well as other conditions in Mexico, represents your impressions of those conditions or your judgment of those conditions at the present date, does it? That is, of a recent date, as well as at the time you were actually in command on the west coast?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. You have referred to the firing upon a boat of yours at Tampico in 1915? Who made the attack upon this boat at that time, if you know?

Admiral CAPERTON. As I remember, it was made by persons on shore, on the wharf.

The CHAIRMAN. You do not know to what faction they belonged, whether to the Carrancistas or Huertas?

Admiral CAPERTON. Of course, that was before I took command.

The CHAIRMAN. The incident I am referring to took place at Tampico, when you sent a boat up the river.

Admiral CAPERTON. Oh, I was thinking about another incident.

The CHAIRMAN. That was in 1915, when you sent a boat up the river.

Admiral CAPERTON. They were fired on by the Villistas.

The CHAIRMAN. Were the Villistas at that time attempting to attack Tampico?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. By whom was Tampico held at that time?

Admiral CAPERTON. It was held by the Carrancistas.

The CHAIRMAN. Was any representation of official character or any protest made to anyone on account of the firing on your boat?

Admiral CAPERTON. I think not, because after reaching the headquarters of the general, he explained to us that his forces were roving all through the country around him, and that he, as I remember, regretted the incident; but still we found them at every turn, on returning the next day, at every point very aggressive and bitter. you might say, and at times we were very fearful of the lives of the party.

The CHAIRMAN. Do you recall whether you made a report of that incident of the firing upon this boat to Washington?

Admiral CAPERTON. Oh, I think I did, sir, because I have a copy of the instance somewhere in my possession, and I am sure I made an official report, as I always reported all such incidents. When I said a moment ago that I had not made a protest, I thought you meant by telegraph or radio.

The CHAIRMAN. You did get into communication with the general, or someone who claimed to be in command of these Villistas who fired upon your boat?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. And he explained it as you have indicated?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. And you are confident that you did report the incident to Washington?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. You did not take command of the fleet and were not on the west coast until after this Mazatlan incident occurred, to which you have referred?

Admiral CAPERTON. No, sir.

The CHAIRMAN. So that, personally, you are not cognizant of the facts, except through reports that you have seen?

Admiral CAPERTON. No, sir.

The CHAIRMAN. There is present with you now, I think, one of the officers who was with the fleet when you took command on the west coast?

Admiral CAPERTON. Yes, sir; Commander Beauregard, who was my secretary after I took command, and who had been flag lieutenant with Admiral Winslow.

The CHAIRMAN. Who was your predecessor?

Admiral CAPERTON. Yes, sir. Commander Beauregard became my flag secretary when I took command.

The CHAIRMAN. Admiral, you have stated as your conclusion and in your judgment, that order and peace can not be restored and maintained and a central government established in Mexico, except by a dictatorship, from within or without. Could you, from your knowledge of the leaders in Mexico at that time and up to the present time name anyone whom you think could, if he wanted to, and would if he could, establish an orderly and peaceable government, and could maintain such in Mexico—any man in Mexico?

Admiral CAPERTON. I do not believe that I could pick out such a man. There may be some, but under present conditions, and having

had the experience that I have had while on both the coasts, I do not believe that I could do so.

The CHAIRMAN. Not directing your attention to any particular name, of course, or making any invidious distinctions, the statement you have made applies generally, does it?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. You came in contact with this man Irias, who was a revolutionist in Nicaragua and a candidate for the presidency of Nicaragua, personally, in the discharge of your official duties, did you?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Where was that?

Admiral CAPERTON. That was in Managua, the capital of Nicaragua.

The CHAIRMAN. Under what circumstances, might I ask, or have you any hesitancy in stating what the circumstances were which brought you together? Of course, if I ask you any questions which you prefer not to answer, I withdraw them.

Admiral CAPERTON. Yes, sir. At the time that I mention, I was in the Gulf of Fonseca, making a survey of that Gulf, with a view to establishing a naval station.

The CHAIRMAN. You were making a survey following the Nicaraguan treaty with this Government?

Admiral CAPERTON. Yes, sir; I communicated with the minister at Managua, who asked me to pay him a visit. I went to Corinto with my flagship and with part of my staff, went by rail to Managua, and there saw the minister and remained with him some time, as the election was approaching at that time and the various candidates of the different factions were drawing together in Managua. Among that number was Julian Irias and a Dr. Espinosa and many others, and it was while I was there that I met all these various candidates of the different factions.

The CHAIRMAN. Did you have any talk with him about his aspirations, or what he was trying to do?

Admiral CAPERTON. Yes, sir. I met him on several occasions, and on one occasion I met him at our legation, and was present at an interview he had with our minister at that time, in regard to the elections generally and his candidacy, and the general situation, as our minister was holding such conferences with the various factions.

The CHAIRMAN. The purpose of such conferences, so far as we were concerned, through our minister, I presume, was to prevent any armed disturbance or factional disturbance of a violent character during the election?

Admiral CAPERTON. Yes, sir; that was the general idea. He was trying to have the elections pass off peacefully at that time, as they had been very much to the contrary at other times.

The CHAIRMAN. As a result of this conference, and immediately following the conference, what became of Julius Irias and his candidacy, if you know?

Admiral CAPERTON. During the conference, I might say, Mr. Irias was so well convinced that he would not make a good candidate that he announced at that time that he would withdraw from the candidacy, and also would not allow any one of his party to run.

The CHAIRMAN. What was the general business of this gentleman Irias, as far as you were able to ascertain, in Central America?

Admiral CAPERTON. As far as I could hear, he was a general disturber and agitator, and a man of not very enviable reputation.

The CHAIRMAN. From what you learned in your investigations concerning Irias, and also in your investigations concerning Mexico, was there any connection between Irias and the Mexicans, aside from the machinations of the Germans in the City of Mexico? That is, were the machinations carried on through the instrumentality of Mexicans or were they carried on by Germans?

Admiral CAPERTON. That I could not tell exactly. There were some Germans; in fact, many of them in Nicaragua at that time.

The CHAIRMAN. Was the sympathy, as nearly as you could understand it, of the Mexican officials in Mexico at that time with or against Irias in his ambitions and aspirations?

Admiral CAPERTON. It was our impression that they were with him, and were more or less behind him.

The CHAIRMAN. Admiral, we are very much indebted to you, sir, for the statement which you have made, and for being kind enough to attend the sessions of the committee, and we thank you very much.

STATEMENT OF COMMANDER A. T. BEAUREGARD.

The CHAIRMAN. You may state your name.

Commander BEAUREGARD. A. T. Beauregard.

The CHAIRMAN. Commander, you were with Admiral Winslow when he was in command of the fleet on the west coast of Mexico, were you?

Commander BEAUREGARD. Yes, sir; I was serving on his staff.

The CHAIRMAN. Were you, during this time, at Mazatlan, Mexico, or near there?

Commander BEAUREGARD. We were off Mazatlan shortly after the firing upon one of the boats of the *Annapolis*.

The CHAIRMAN. The *Annapolis* was one of the American ships under the command of Admiral Winslow?

Commander BEAUREGARD. Yes, sir; engaged at that time in the American patrol of Mexico, and at that time happened to be at Mazatlan.

The CHAIRMAN. In the performance of your duties do you know just what occurred with reference to the firing upon the boat of the *Annapolis*?

Commander BEAUREGARD. Yes, sir. I saw all the reports upon the occurrence, and likewise read the court of inquiry in the matter.

The CHAIRMAN. What was the date of the occasion, Commander?

Commander BEAUREGARD. To the best of my knowledge, it was approximately June 15, 1916.

The CHAIRMAN. Now, will you kindly state what occurred there, what that incident was?

Commander BEAUREGARD. The flagship was in United States waters, and we received a radiogram from the *Annapolis* reporting that her boat, a motor sailer, I think, had been fired upon; that one man had been killed and others injured, and that two officers were being held ashore. I think that is the general tenor of the first news that we had. I think, to sum up, that the commanding officer of the *Annapolis* sent his boat ashore, as he desired to send a message by an officer to the American consul, or whoever was acting as American consul at that time. The boat had arms, but they were concealed. That was in

view of the general tenseness of the situation. As soon as the boat ran alongside of the pier and the two officers landed, they were immediately seized by Mexicans, and, as I remember, one of those that did the seizing wore a Mexican uniform of some sort, probably a customhouse officer or one of the Carranza officers.

Efforts were then made by the Mexicans to seize the boat and crew, but the officer in charge, divining their motive, shouted out to the boat crew to shove off quickly and return to the ship. This they did, whereupon the Mexicans opened fire upon the boat. All during this time the American flag was flying on the boat. After being fired upon, and while returning to the ship, the boat crew broke out their arms and ammunition and in their defense returned the fire.

The officers were marched up to the local authorities and were imprisoned, various threats and menaces being inflicted upon them, both during their way through the town as well as after they arrived.

Later, I do not recall whether it was the same day or the next, through concerted efforts of Americans and others on shore, and after an investigation, the officers were allowed to return to their ship; but their progress through the city was extremely dangerous, and they themselves, I understand, attribute their escape, we might say, back to the ship as due to the efforts of a Mrs. Brown, who was the Mexican wife of an American there, who seemed to have great influence with the Mexicans, and who accompanied them down to the boat; in fact, off to the ship.

A report of the matter was made by Admiral Winslow to the department. The commanding officer of the *Annapolis*, in view of the policy of noninterference on shore, withheld the fire of his battery from protecting his boat, as he saw that there would be a useless loss of innocent lives, as the docks were somewhat crowded.

The CHAIRMAN. Was there any official demand made by Admiral Winslow, or those under his command, for the release of the officers?

Capt. BEAUREGARD. The report of their release was received so soon after the original report that the admiral, I do not think, had time to take any action on that particular matter.

The CHAIRMAN. Did the admiral make a protest, or require of the Mexican authorities at Mazatlan, or the authorities at Mexico City, any apology or explanation for the firing upon his boat and seizure of his officers?

Capt. BEAUREGARD. No, sir; that entire matter was referred to the department in Washington. In view of Admiral Mayo's experience acquired when his boat was insulted at Tampico, you might say, it was considered proper to leave that to the department.

The CHAIRMAN. In view of these conditions, and of the orders from the department to the admiral in command, as has been shown in the testimony of Admiral Caperton, it was not considered the duty of the admiral or officer in command at Mazatlan, or in general command of the fleet, to himself take any action in the way of a protest, or demand for an apology, or reparation, but to refer the matter entirely to Washington for action and instructions?

Capt. BEAUREGARD. Yes, sir. The admiral could have recourse only to protests, not demands. Shortly after Admiral Mayo's ultimatum at Tampico the naval regulations were amended, to make

sure that no officer issued any ultimatum to any government or official until the department had been communicated with and had approved such action.

The CHAIRMAN. Then, under the orders as they stand now, and as they stood at the time of the Mazatlan incident, if you were in charge of an American ship in foreign waters, and your boat, under your flag and manned by your sailors, was fired upon, you would not consider that you had the authority or would be justified in returning the fire, or in later demanding an explanation or reparation, without referring the matter to Washington?

Capt. BEAUREGARD. It would depend a good deal upon the circumstances. The regulations provide that if force is used to seize one of your boats, force must be used to repel the same. Of course, the different methods of action would depend upon the seriousness of the situation and existing instructions. If a good many innocent people would be affected, I do not think any American commander would deliberately shell so as to injure them.

The CHAIRMAN. Ordinarily, would not an American commander demand an explanation of the authorities in command at such a port as Mazatlan, for action similar to that which you have described?

Capt. BEAUREGARD. Yes, sir; an explanation would be requested of the official in charge, military or otherwise, and endeavor would be made to obtain the release of any of our persons arrested, but under existing conditions and instructions force is not to be used, as I understand it.

The CHAIRMAN. Aside from the question of using force, was any explanation demanded by the commander of the *Annapolis*, or any apology demanded by him?

Capt. BEAUREGARD. I do not recall that particular feature, but I do know that this was brought to the attention of the Mexican authorities in Mexico City, and that Gen. Obregon sometime later sent out the Mexican version of the Mazatlan incident.

The CHAIRMAN. Have you that version?

Capt. BEAUREGARD. I have a copy of it. It is a telegram from Mexico City, June 18, to the military commander of the port of Manzanillo, received June 19, 1916, and reads as follows:

To-day at 11.30 a. m., while two American officers bringing a message from the captain of the ship *Annapolis* to the American consul were disembarking at the wharf of this port, some drunken individual who happened to be there, fired upon them. The crew who brought them in returned the fire, and several of our soldiers, who accidentally happened to be on the scene of activities, in their turn answered the fire of the crew, the fusilade of the crew resulting in the wounding of two constitutional soldiers, and of the individual who started the shooting. The American officers were detained at the commandancia militar of the port, and explanations having been made I allowed them to return on board the *Annapolis*, in this manner considering the incident closed.

Affectionately, the minister,

A. OBREGON.

The CHAIRMAN. Were either of the members of the crew of the ship *Annapolis* or the boat crew from the ship *Annapolis* injured in the firing?

Capt. BEAUREGARD. One man was killed, and I think others were wounded.

The CHAIRMAN. From your investigations and your knowledge of the facts, was the statement of the local commander to Gen.

Obregon, afterwards given out by Gen. Obregon, as in the dispatch that you have read, correct, as to how the difficulty started?

Capt. BEAUREGARD. Not as reported by the commanding officer of the *Annapolis*, or as reported in the court of inquiry.

The CHAIRMAN. Captain, how long have you been in the naval service?

Capt. BEAUREGARD. I entered the Naval Academy in 1903.

The CHAIRMAN. When did you join the Navy off the coast of Mexico?

Capt. BEAUREGARD. I have served several times off both coasts of Mexico. I served on the staff of Admiral Winslow and Admiral McLean on the east coast of Mexico, and with Admiral Winslow and Admiral Caperton on the west coast of Mexico.

The CHAIRMAN. During the period of your service, have you served in South American and Central American waters?

Capt. BEAUREGARD. Yes, sir; I have cruised four times to South America and about as many times to Central America.

The CHAIRMAN. Captain, may I ask you what State you are a native of?

Capt. BEAUREGARD. I am a native of Texas.

The CHAIRMAN. Do you speak any other than the English language?

Capt. BEAUREGARD. Spanish and French fairly well.

The CHAIRMAN. Did you speak either of those languages prior to entering *Annapolis*?

Capt. BEAUREGARD. Yes, sir; both.

The CHAIRMAN. You were then able to confer with the natives of Mexico, Central America, and South America in their own tongue?

Capt. BEAUREGARD. Yes, sir; I have done that sort of work for the admirals on whose staff I have served.

The CHAIRMAN. Have you acted as interpreter or translator for the admirals in the performance of their duties?

Capt. BEAUREGARD. Yes, sir.

The CHAIRMAN. You have thus come in contact with many of the officials of the Mexican Government, as well as of the other Governments in Latin America, have you not?

Capt. BEAUREGARD. Yes, sir; I accompanied the admiral and spoke for him on nearly all occasions when the official upon whom we called could not talk English, but only Spanish.

The CHAIRMAN. You have been interested, more or less I presume, in Mexican conditions during the last few years, have you?

Capt. BEAUREGARD. Yes, sir; I have been intensely interested in all Latin-American affairs, as I have met so many people in those countries.

The CHAIRMAN. In that portion of Texas where you were born, are there many descendents of the Spanish race?

Capt. BEAUREGARD. There are a great many Mexicans. My father owned a ranch near San Antonio, Tex., and until I was 11 years old I grew up among Mexicans on the ranch.

The CHAIRMAN. You have had a somewhat extensive acquaintance among those who have been more or less prominent in Mexico during the last few years, have you?

Capt. BEAUREGARD. Yes, sir; I have met several, and have read and followed quite a good deal of the operations of some of the others.

The CHAIRMAN. We, as a committee, are directed by the Senate of the United States, to report to that body suggestions as to how to avoid, if possible to do so, in the future the many lamentable occurrences of the past few years, resulting in deaths, outrages, loss of property, etc., to American citizens in Mexico, and of course, as a part of that inquiry to go into conditions in Mexico generally, and to form some conclusion, if possible to arrive at any conclusion, as to what may be looked forward to for Mexico itself as to the rehabilitation, the establishment, and maintenance of law and order and peace in that country. What is your judgment upon that matter? Do you believe that the Mexicans themselves, living in Mexico, are capable of forming and maintaining a responsible, orderly, and peaceable government?

Capt. BEAUREGARD. I think that a good many of the people would welcome law and order again, but I do not think that the leaders would all pull together. I think that has been demonstrated by the number of breaks that have already occurred since the time of Porfirio Diaz.

The CHAIRMAN. Do you know any prominent native or Mexican in Mexico at this time who you believe can, through instrumentalities in Mexico itself, establish and maintain a central government, peaceable and orderly and capable and willing to perform international and national duties? Can you, in running over them in your mind, picture such a man?

Capt. BEAUREGARD. I can not picture one that could actually control the whole country. I think there are probably a number of men that would be good presidents of Mexico, but I do not think that they could keep the necessary support that would make a strong centralized government. The States, I think, due to the long period of revolution, have absorbed a good deal of the central power, and now do not care to give it up. I think that is particularly true of Lower California, and probably some of the western States.

The CHAIRMAN. So long as the different States can of themselves maintain practically a separate government from the central government, it gives an outlet for the ambitions of individuals, which outlet would be somewhat closed to ambition if there was a central government which all should support, as in the United States?

Capt. BEAUREGARD. Yes, sir; I think a good deal of the trouble there is due to the agitators, and of course, any strong central Government must be able of promptly suppressing such agitators, in order to hold the power.

The CHAIRMAN. Is the situation complicated also because of the influence of other countries in the character of the citizens of Mexico?

Capt. BEAUREGARD. Yes, sir; I think the influence of the Indians themselves rather than of the foreigners, and so many of the agitators of those in Mexico are coming to the United States, and the influence of those in the United States, the agitators of the revolution, and still the influence of the agitators of the revolution.

The CHAIRMAN. The influence of the agitators of the revolution, the citizens of Mexico, the influence of the agitators of the revolution, did you not?

The CHAIRMAN. The influence of the agitators of the revolution, the citizens of Mexico, the influence of the agitators of the revolution, did you not?

The CHAIRMAN. Are there very many different and distinct tribes of Indians?

Capt. BEAUREGARD. Yes, sir; it is a mixture, as I understand it, of Spanish and the various Indian tribes.

The CHAIRMAN. And those Indian tribes themselves, do not at any time constitute a homogeneous population of what is now the Mexican Republic?

Capt. BEAUREGARD. No, sir.

The CHAIRMAN. So that all of those are graftings of the Spanish blood upon the Indian stock, and not upon one stock, but upon a variety of Indian stocks, as I understand it?

Capt. BEAUREGARD. Yes, sir.

The CHAIRMAN. Is there any similarity that you have been able to see between the Opatas, Pima Altas, the Yaquis, or Papagos, in Sonora and the northern part of the country, and the original stock of Yucatan, for example?

Capt. BEAUREGARD. I do not recall that. I have never actually been in Yucatan.

The CHAIRMAN. Well, in southern Mexico, Tampico and Vera Cruz, are the Mexicans of very similar appearance and characteristics to those of Sonora?

Capt. BEAUREGARD. No, sir; they are somewhat different. That was especially noticeable when Gen. Carranza entered Vera Cruz, because we could detect the northern troops distinctly from those of the southern and eastern States. We could see those differences.

The CHAIRMAN. It was very noticeable?

Capt. BEAUREGARD. Yes, sir.

The CHAIRMAN. I think that is all, Captain. Thank you very much.

The committee will adjourn, subject to the call of the chairman.

(Whereupon, at 4.45 p. m., the committee adjourned, subject to the call of the chairman.)

INVESTIGATION OF MEXICAN AFFAIRS.

THURSDAY, MAY 20, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to the call of the chairman, at 12 o'clock noon in room 128, Senate Office Building, Senator Albert B. Fall presiding.

The CHAIRMAN. The committee will come to order. Captain, you may be sworn. Will you give your full name, please?

TESTIMONY OF CAPT. W. M. HANSON.

The witness was duly sworn by the chairman.

Capt. HANSON. My name is W. M. Hanson.

The CHAIRMAN. Where do you live?

Capt. HANSON. I live in San Antonio, Tex.

The CHAIRMAN. How long have you lived in Texas?

Capt. HANSON. All my life.

The CHAIRMAN. You are a citizen of the United States, of course?

Capt. HANSON. Yes, sir.

The CHAIRMAN. What is your present official position, if any?

Capt. HANSON. Senior captain of the Texas State Rangers.

The CHAIRMAN. How long have you been with the subcommittee on Mexican affairs, investigating?

Capt. HANSON. Since September 1, 1919.

The CHAIRMAN. Captain, what official positions, if any, have you held prior to your present position as captain of the Texas Rangers—senior captain?

Capt. HANSON. Deputy sheriff and deputy United States marshal from 1884 to 1898; then deputy United States marshal of the western district of Texas, 1898 to 1902, stationed on the Rio Grande border. Then I was appointed United States marshal for the southern district of Texas under Mr. Roosevelt in 1902 and served in that capacity until 1906. I was reappointed, resigned, and went to Mexico, in the ranch business.

The CHAIRMAN. What year did you go to Mexico?

Capt. HANSON. In 1906.

The CHAIRMAN. Why did you go to Mexico?

Capt. HANSON. Mexico was an undeveloped country, and I saw the tide of immigration turning south. I interested some friends in St. Paul and went there to buy ranch property and to make it my permanent home.

The CHAIRMAN. Did you purchase property there and reside there?

Capt. HANSON. Yes, sir; we purchased the Hacienda el Conejo.

That was the main ranch, situated on the Guyallejo River, about 80 miles northwest of Tampico, on what was then the Mexican Central Railway, later the Monterey branch of the Mexican National Railways of Mexico.

The CHAIRMAN. What business were you proposing to engage in on this ranch—cattle ranch, stock ranch, or what?

Capt. HANSON. Cattle and farming. We planted 600 acres of citrus fruit, and in addition to that we improved the ranch very highly and we were raising stock, cattle, and horses and mules.

The CHAIRMAN. In raising the crops and in developing this ranch, did you depend upon the rainfall or did you use—

Capt. HANSON (interposing). No, sir; we had irrigation; 14,000,000 gallons of water a day that we brought through a canal by gravitation to the property.

The CHAIRMAN. Did you purchase or secure your water rights for the use of this water and rights of way for the canal under the laws of Mexico?

Capt. HANSON. We purchased the water with the ranch. The owner of the ranch had previously secured the rights from the Mexican Government.

The CHAIRMAN. From whom was the title to this ranch derived, and about the date of the original title, if you know?

Capt. HANSON. We had titles dating back to 1802 that were carried down to the owner, to the man that we bought it from, Mr. Manuel de Leon.

The CHAIRMAN. Your original titles then, dated back prior to the organization of the present so-called Mexican Republic; that is, prior to 1821?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Did you at any time have any serious question concerning your titles, either to water or to your land while you were there?

Capt. HANSON. No, sir; everything up the time I left—that is, during Diaz's régime, was perfectly quiet, and we received fine protection and every assistance, and we worked in connection with the Government, both the Diaz and Madero Government, for the betterment of Mexico.

The CHAIRMAN. You have spoken of having 600 acres in citrus fruits. How old were the trees?

Capt. HANSON. They were just coming into bearing in 1914—4 years old. We had just gathered our first grapefruit off of the first 10-acre plot. In addition to that, we had about 1,000,000 trees; a great many of them budded in nursery form.

The CHAIRMAN. What other farm crops were you raising besides fruit?

Capt. HANSON. Corn, principally.

The CHAIRMAN. About what was the acreage in corn?

Capt. HANSON. About 2,000 acres.

The CHAIRMAN. About how many cattle did you have on the ranch or adjoining ranches?

Capt. HANSON. When we purchased the ranch we got 2,000 head of cattle with it. Then, in addition to that, we bought a few more and never sold any. We butchered a few cattle for home consumption.

The CHAIRMAN. What were the conditions of the country with reference to order and peace and law being observed and enforced prior to the Madero revolution?

Capt. HANSON. I think that the conditions there were much better even than they were in the United States. There was no one who went armed, and, to give you an idea, I had a very large ranch house there, and I never had a key in my doors and never lost 10 cents' worth of stuff out of the house, and the Mexicans on the ranch—several hundred—had access to it.

The CHAIRMAN. You say there were several hundred Mexicans on the ranch. What was the labor which you used principally?

Capt. HANSON. The native labor, altogether.

The CHAIRMAN. Mexican labor?

Capt. HANSON. Yes, sir.

The CHAIRMAN. How many Americans were in your employ?

Capt. HANSON. Oh, one or two. Probably two or three, during the whole time. But I had two citrus fruit experts employed all the time, one from Cornell University and the other from California.

The CHAIRMAN. Were they employed as experts in the raising of citrus fruits?

Capt. HANSON. Yes, sir; they were in charge of our citrus fruit industry.

The CHAIRMAN. Why did you employ them from the Cornell University and California, respectively; why did you not employ men from Mexico?

Capt. HANSON. Well, they did not understand much about the citrus fruit industry, and we bought the best brain we could. We employed the Cornell University man through the department here. We asked them to give us the best—to refer us to some one and they gave us this name—Prof. Crawford.

The CHAIRMAN. What were his duties, and those of the California man?

Capt. HANSON. Well, the California man, Mr. J. W. Hair, was in charge of the propagation of our citrus grove. He attended to the budding, the planting, etc., and Prof. Crawford, of the Cornell University, came down to assist the Mexican Government, our association, and our citrus fruit growers in that section of the country in fighting what is known as the Trypeta Ludens fly, a fly that depredates on the fruit. He was in charge of that, in connection with the Mexican Government.

The CHAIRMAN. By whom was he paid?

Capt. HANSON. He was paid by our company, which was the Mexico Land Co., and the Gulf Coast Citrus Fruit Association, which was composed of citrus fruit growers of the States of Tamaulipas, Nuevo Leon, Veracruz, and San Luis Potosi. I was president of that association. This association was formed under the laws of Mexico and was composed of Americans and Mexicans who worked in perfect harmony, and we were assisted from Mexico by their experts, Profs. Gandra and Millen. Our objects were to eliminate the pest before referred to, "Trypeta Ludens," and to arrange for marketing our fruit in foreign countries.

The CHAIRMAN. Now, you speak of the California expert having charge of the budding, etc.; was he able to do all the work himself, or did he have help, assistants?

Capt. HANSON. Prior to his coming there, I employed Prof. Stiles, of Texas, who is an expert citrus-fruit man, to come down and spend 10 days with me to teach some of my Mexicans how to bud. I paid him \$500 and his expenses. When he arrived I picked out six of my best men; they were ignorant; only one or two could read and write; but they were very apt, and he taught them to bud. Then when Mr. Hair came down they assisted him. They got to be quite expert before I left there and could bud from two to three or four hundred trees a day.

The CHAIRMAN. Now, did the Mexicans—were there any Mexicans in that country who understood modern up-to-date citrus-fruit farming, budding, etc.?

Capt. HANSON. No, sir; the natives, laborers, thought it a very foolish enterprise when he told them that we were going to plant citrus fruit there. Prof. Gandera and Prof. Millen, of Mexico City, were educated along that line, but inactive in our section.

The CHAIRMAN. Now, you say you were gathering your first crops. Were there any other bearing orchards in your neighborhood, larger or smaller?

Capt. HANSON. Only one, Mr. K. H. Merrem, of the Hacienda la Victoria, had probably 40 or 50 acres, and there were a few small groves near Monterey, Linares, Montemoraes, Ciudad Victoria, Colonia, Tampico, Rio Verde. In each colony there were minor developments along this line, but you may say exclusively by Americans. This industry was in its infancy, but the development had proven its future success.

In addition to that, I want to state that during all this time that I was propagating the nursery any Mexican in the country was welcome to come and take trees away. I was trying to introduce the citrus-fruit industry into that section of the country. A great many of them availed themselves of this opportunity, and had a few trees in different portions of that section.

The CHAIRMAN. How long had Merrem's orchard been in bearing?

Capt. HANSON. They were about the same age as ours.

The CHAIRMAN. Then you did not know what your orchard would have done; you had nothing to go by as to what it might have done had it been further developed?

Capt. HANSON. Only judging by the citrus-fruit industry at Tampico. Mr. MacDonald had 14 acres of oranges 11 years old that produced about 10 boxes to the tree, that he sold for \$4 a box. Mr. Hopps also had a successful grove.

The CHAIRMAN. American gold?

Capt. HANSON. American gold, f. o. b. Tampico. They were shipped to Minneapolis and St. Paul, and that is what gave us the idea of that being a citrus fruit country. In addition to that, we had experts from California and Utah, and other places, who are thoroughly conversant with the citrus fruit industry, and we had our soil and water analyzed, and after making a very extensive investigation we concluded that in as much as it was below the frost line, and with the climate and conditions that section was adapted to the citrus fruit industry.

The CHAIRMAN. How many Mexicans did you employ, or were you employing before you came out, in your operations there?

Capt. HANSON. Upon our purchase of this ranch there was about 20 or 25 families. It was an old broken down ranch, unimproved; had been formerly a cow ranch for many years, and the Mexicans were a little skeptical as to the Americans when I first arrived there. After employing these few that were on the ranch, they found that we were all right, and they much preferred to work for us, because we paid them better wages and treated them better, and housed them better than some of the Mexican ranch men in that country; therefore, they began to flock to us and there was never a time up to the time I left there, but what there was always a surplus of labor.

The CHAIRMAN. What were the average wages paid when you went there for that character of work?

Capt. HANSON. Mr. DeLeon was paying 50 cents, Mexican money; when I left there we were paying as high as 2 pesos a day. We gradually increased their wages as we taught them how to do the work, and paid them in accordance with their capabilities.

The CHAIRMAN. Now, did you furnish houses for your laborers to live in?

Capt. HANSON. Yes, sir; we furnished wood, water, and houses, and we put a sewerage system all over the place, and that was all free to them; we did not charge them anything for that, and in addition to that, we kept about a \$4,000 commissary that we sold the goods at cost and carriage. We also furnished free medical attention and free drugs.

The CHAIRMAN. Did you have any experience while you were there, in the attempt to provide, or to offer opportunity to the Mexican laborers and others for providing themselves with their own homes?

Capt. HANSON. Yes, sir. After Mr. Madero went into power it seemed that his policy was to divide the land and give each Mexican in the country a home. I cut off on the opposite side of the river about a quarter of a mile from the main ranch, a town site divided into lots 40 by 80 meters, and every lot fronting on the river. I offered any Mexican regardless of whether he worked on our place or not, that would come and build a house, that I would deed him the land the first night he moved his family into it. And there was to be no restriction with the exception of the sale of liquor.

He was not to sell any liquor. He could sell the next day if he wanted to, or he could do anything with it, and he was under no obligations even to work for our company, but all we wanted him to do was to build him a house, and I went so far as to offer to give him the palm to roof it with, and the wood, the logs out of the woods to build it with, and loan him teams, wagons, and carts to haul it, and to pay him wages while he was doing it, to be taken out 50 cents every two weeks, in order that he might live and support his family while he was building a house.

The CHAIRMAN. That is, you mean to say that you would take 50 cents out of his wages every two weeks to repay for hauling and so forth?

Capt. HANSON. No, not for hauling, but to repay the money advanced him to live on while he was building his house.

The CHAIRMAN. That is, you would deduct from his wages 50 cents to be applied upon his account?

Capt. HANSON. Yes, sir, for advances.

The CHAIRMAN. How many availed themselves of this offer?

Capt. HANSON. Three. They explained to me that they would much rather live on the ranch and not have the house and lot.

The CHAIRMAN. They had a house furnished them free of rent?

Capt. HANSON. Yes, sir.

The CHAIRMAN. As well as water, and so forth, in addition to their wages running from 75 cents up to \$2 a day?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Were there any schools in the neighborhood?

Capt. HANSON. Yes, sir; there were schools at a little town, Xicotencatl.

The CHAIRMAN. On the ranch itself there were no schools?

Capt. HANSON. No; not at that time. A few times we had schools. It was pretty hard to get teachers, but our standing offer was that we would pay for the school and all expenses of it, and on this town site that I was telling you of across the river, I had in contemplation the building of a school house and church, and had arrangements made with the Catholic priest in that vicinity to take charge of it.

The CHAIRMAN. What was the feeling between the Americans there—yourself and others—in that community, and the native Mexicans?

Capt. HANSON. It was splendid. There was no bad feelings at all, and we were never treated better even in the United States than we were under the Diaz régime or while he was in power. The natives had learned to know the Americans and appreciated them, and I never had any trouble with a single Mexican while I was on the ranch during the entire eight years that I lived there.

The CHAIRMAN. When did you last see the ranch?

Capt. HANSON. In January, 1914.

The CHAIRMAN. Have you had any information since that time with relation—with reference to the condition, the physical condition of the ranch after you left?

Capt. HANSON. Yes, sir; I saw the ranch, as I say, in 1914, in January, and it was destroyed. The windows were broken in, and robbed—

The CHAIRMAN. You mean the house?

Capt. HANSON. Yes, sir; the house; and it was very finely furnished, with something like eight or ten thousand dollars' worth of furniture in the house—beds and so on. That was all destroyed and taken away. They destroyed the pillows. I had a great many feather pillows on the place and they cut them open and threw the feathers out to the winds and used the pillow slips for maletas; that is, for sacks to carry food in.

The CHAIRMAN. What became of the live stock?

Capt. HANSON. They were all taken away. Mr. ——— informs me that there is not a mule or horse, nor a cow of any description on the ranch, with the exception of probably some wild ones in the woods.

The CHAIRMAN. What was the condition which you saw in 1914 with reference to the citrus fruit growing?

Capt. HANSON. It was not so bad at that time, but later on it was burned—burned up completely.

The CHAIRMAN. You mean to say that there are none of the trees growing there?

Capt. HANSON. No, sir; there may be a few scattered trees, but my information is that it was completely burned.

The CHAIRMAN. Now, what was the date upon which you left there?

Capt. HANSON. I left there on the 14th day of January, 1914.

The CHAIRMAN. How did you happen to leave?

Capt. HANSON. In November previous to that time Consul Miller had notified us that the United States Government had requested all Americans to come to Tampico and get under the guns of our ships, which were placed there for the protection of the Americans in that country. We remonstrated, but he insisted and said that our Government wanted us to be patriotic and get out of there, as it might cause complications if we attempted to stay out on the ranches. I went to Tampico and when I received word that the property was destroyed—that was along in the latter part of December, 1913—I went to Consul Miller and he advised that I go to the ranch.

It was a little bit dangerous to go, because they were fighting between there and for 50 miles out of Tampico on out in that direction, Carrancistas and Huertistas, and finally I took a man who was very friendly to the Carrancistas, secured permission, and went through both lines and on to the ranch with the intention of making a list of what I had lost and what damage had been done, and go up to see the governor at Victoria, which was the capital of the State, and secure from him, if possible, an officer to go down with me and check up my losses and give me a receipt for them in order that I would not have to put in a claim against the Mexican Government at that time. I did not want to antagonize the Carrancistas, because it was very evident that our Government was backing them against Huerta and that his fall was sure. Therefore I did not want to antagonize them and wanted simply to get a receipt and make no report of it, because it would do no good.

The CHAIRMAN. What happened to you when you went back?

Capt. HANSON. When I arrived at Victoria I stayed all night, in company with my attorney, Judge McCabe, and bookkeeper and cashier, Mr. Gonzales. Next morning I went up to call on the governor, and he arrested me and virtually sentenced me to death that evening. He kept me under guard of 50 Mexicans until about 8 o'clock that night. He finally allowed me to return to my room, and next morning there was a court-martial instituted, and I was tried then by court-martial for the next 10 days.

About the tenth day, Consul Miller, of Tampico, got to me with two friends of mine and finally prevailed on the governor to not shoot me. He finally agreed to send me out of the country, which they did; in fact, they sent me to Matamoros by automobile—but I paid \$300 for the automobile to get out—and delivered me to Gen. Pablo Gonzales about 11 o'clock in the morning, and through the efforts of United States consul and others he ordered me put across the river that afternoon about 3 o'clock.

The CHAIRMAN. What was the charge against you for which you were tried first and upon which you were deported?

Capt. HANSON. That I was in favor of intervention and a Huerta spy. There was no government recognized in Mexico at that time.

The CHAIRMAN. Were you taking part in the revolution or in the troubles there?

Capt. HANSON. Not at all; no, sir. I had nothing to do with it. I had been sick three months in Tampico in the Southern Hotel and had taken no part directly or indirectly in anything connected with the Mexican trouble; in fact, it made no difference to me, and I voice the sentiments of all other Americans in Mexico when I say that the Americans in Mexico do not care who is president of Mexico, just so they have peace and protection.

The CHAIRMAN. Had you been making any reports with reference to the friends of Huerta or to the Huerta government?

Capt. HANSON. No, sir; the only reports that I ever made when Miss Gourd was ravished out of Tampico. Consul Miller asked me to take Mr. Gourd's statement, which I did, and we sent 16 copies of that, sworn to before the consul, to yourself and other Senators and Representatives in Washington, as well as the departments here. It seemed that the fact that I had been active in reporting that matter had gotten back to the Carranzistas, and that probably was one of the reports that they alluded to, that I had made.

The CHAIRMAN. And that was to your own Government or officials or citizens of the United States?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And not to the Mexicans?

Capt. HANSON. No, sir.

The CHAIRMAN. In what month were you deported by Gen. Gonzales?

Capt. HANSON. In January, 1914.

The CHAIRMAN. Did you return to Mexico thereafter, and, if so, to what part?

Capt. HANSON. Yes, sir; the following April I returned from Texas City by boat to Tampico, arriving there about the 10th of April.

The CHAIRMAN. How long did you remain there?

Capt. HANSON. I remained there until I was shanghaied out of there together with 2,800 Americans on the 22d of April, 1914. (For list see Galveston News of April 28, 1914.)

The CHAIRMAN. What do you mean by you were "shanghaied"? Just what occurred there at that time?

Capt. HANSON. On the 20th of April there was a notice posted on the "Commandancia" to the effect that the Americans had invaded Vera Cruz, and Gen. Huerta called on all patriotic Mexicans to arm themselves and defend their beloved country. That was about 2 o'clock in the afternoon. At once Mexicans began to go up to the "Commandancia" and get guns and ammunition, and a mob began to form, and they began their cry of "Death to the Americans" and rioting. About 6 o'clock the Americans concluded it was best that they house up, and each one went to some place that he considered to be safer than on the streets. Together with about 150 Americans, men and women, I took refuge in the Southern Hotel. That was where I was living. And about 6.30 o'clock we had closed all the doors and barred them, with the exception of one, and there was a crowd of Americans standing inside watching the Mexicans go by, rioting and so forth, a rock was thrown through the door and hit an old man about 70 years old, who was a reporter on the Times, tearing his cheek off.

About 10 or 15 minutes later another rock was thrown through and hit one of the Pierson Oil Co. geologists in the head, cutting him across the forehead, laying his scalp open. Then we closed the doors and formed ourselves into a party for defense. After getting all the guns we could together we found we could arm 32 men. They appointed Capt. Ed Williams and myself to take charge of the men. We divided them 16 upstairs and 16 downstairs. We barred the doors and they began at once to break in the plate glass drug store of Sanborn Bros., in the corner of the building, and shooting through the top of our house and at our American flag which floated over the building. About 9 o'clock there was a rap on the door that could be distinguished from the mob, and the commanding officer of the steamboat *Dresden* came in and told us that he believed we were going to be massacred and if we so desired he would take care of our women and children. After consultation several of the ladies, American ladies, went through the mob with him, to the ship.

About 11 o'clock he returned and told us that he had just notified Gen. Zaragoza that he must clean the streets of this mob or he would sweep them with lead.

The CHAIRMAN. Who was Gen. Zaragoza?

Capt. HANSON. General Zaragoza was the commander in charge of the Huertistas who were defending the town against the Carrancistas. You understand, there had been a battle going on since about the 10th of the month and an incessant battle, firing over us; three battleships were throwing their shells over our building, over Tampico, into the Carrancista ranks on the north of Tampico, and at this conversation—or consultation—between Capt. Koehler, Mr. Williams, and myself, I asked him why he did not wire our ships.

The CHAIRMAN. What ships?

Capt. HANSON. Our ships that had left there that morning.

The CHAIRMAN. You say our ships?

Capt. HANSON. That is, the United States ships.

The CHAIRMAN. Battleships?

Capt. HANSON. Battleships. The ships that were in port that had been there for our protection. They left there that morning; left us alone, and he said that his wireless was not strong enough. I asked him why he did not go to the English ship. He said he had been to them, that they refused to send a message, stating that they were neutral. He said that he and two Americans, who accompanied him, had requested the commander of the English ship—asked him if, in case it was necessary—would land his marines and assist him in defending the many foreigners in Tampico. He told him that he would not; that he was neutral, and he then said "I am ready to die with you."

The CHAIRMAN. This was Capt. Koehler?

Captain HANSON. Yes, sir; "I am ready to die with you if necessary, but I want it distinctly understood that it is an act of humanity and not for any other reason, and that the first American officer that puts his foot on the shore I will be very glad to retire and turn the matter over to him." It wore on until about 2 o'clock. In the meantime, Zaragoza had in a manner dispersed this mob. About 2 o'clock Capt. Koehler came back and left one of his officers with us with a searchlight and with orders that in case they went to dynamite the building or commit any act of violence he was to flash

this searchlight three times on the Pierson buildings (that could be viewed very readily from the ship and from the Southern Hotel) and he would come with his force. And he held his force in readiness and in arms—none of them slept that night—to come to our assistance if they had attempted the massacre, as it was supposed they would do.

The next morning about 7 o'clock I went out and asked the leader of this mob, or rather the mob, if they would allow me to go to the consul's office. They said I could go if I would go without arms; so I laid my arms aside; pulled off my coat, so they would be very sure to know that I did not have any arms and went to the consul's office. When I arrived I found Consul Miller and several men that were with him as his assistants and bodyguard the night before and for several days, and who had not slept for probably 36 hours, lying around with their clothes on, perfectly worn out. I roused him and told him of the situation on the outside; that the mob was forming again and that it could not be delayed very much longer, and that I was afraid that I could not hold our people very much longer; they were getting very anxious to get busy.

The CHAIRMAN. What do you mean by "get busy"?

Captain HANSON. To fight. There had been insults of every description hurled at us all night long and we were afraid that a shot would be fired, and if they had attempted to kill us it would have been impossible to have held those men any longer. They would have defended themselves to the last. So, realizing just what a few shots would do to start the thing, Consul Miller went up to see Gen. Zaragoza and he advised that we get out. I asked Consul Miller—that was about 8:00 or 8:30 a. m.—I asked him if he had heard anything from our Government. He said that he had not; that he had done his best to notify them, but that he had not heard a thing from our ships or from the Government. I went on back to the hotel and was in consultation there with the Americans when word came for us to get to the ships the best way we could through this mob.

The CHAIRMAN. What ships?

Capt. HANSON. The German, English, and Dutch. They had agreed to take us out; besides, I think there was an American oil steamer there, but floating a foreign flag. They were not allowed to float an American flag and we got out of there the best way we could with just what we had on our backs—men, women, and children. The bank in the Southern Hotel, belonging to the Fouts Brothers, was sealed, and I think with an English seal on it, in order that it would be respected. We went out to the ships and the next morning we found them in motion and looked out and asked where we were, and where we were going, and they said "You are going to Galveston." We objected.

The CHAIRMAN. What boats were you on?

Capt. HANSON. The Des Moines, and I think there probably was something like 18 or 20.

The CHAIRMAN. American boats?

Capt. HANSON. American ships.

The CHAIRMAN. You had been transferred?

Capt. HANSON. Transferred; yes, sir.

The CHAIRMAN. How far were you out from Tampico when you were transferred?

Capt. HANSON. Tampico, the city, is about six miles from the mouth of the Panuco River, and the ships——

The CHAIRMAN (interposing). That is, from where the Panuco River flows into the gulf?

Capt. HANSON. Yes, and just out in deep water, just the other side of the jetties, there our ships were all lined up cleared for action. There was something like 18 gunboats, destroyers, and battleships

The CHAIRMAN. And you were taken out by the German, Dutch, and English ships, and oil tankers, and were transferred to our battleships—gunboats?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And our battleships and gunboats which you found in motion next morning?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And informed you you were going to Galveston?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Were you transferred over to the American boats—were you informed at that time that you were going to be taken away?

Capt. HANSON. No, sir. You will understand that in several battles that had previously occurred in Tampico the Americans had been taken on board ships and taken out to sea until the battle was over and then returned to their homes and business, and we naturally supposed that when we got on the boats that we were just going out as usual, out to sea, and we were very much surprised when we found that we were going to Galveston, because every one had simply left there as they were, many of the ladies had left their dishes unwashed, and their houses virtually open, and with no change of clothes or anything of that kind, and only the clothes that we had on our backs.

Now, with reference to the leaving of the ships: On the evening of the 20th, my understanding was, through the consul and others, that Admiral Mayo had been ordered to take his ships and leave that port. Consul Miller sent three messages, very strong messages, protesting against the removal of the ships and stating to the department in Washington, the conditions, that the battle had been raging there for 10 days; the streets were full of people, and that he did not believe it was right to take the ships out; but he received no answer, and when Admiral Mayo—I did not see the messages, but my understanding was that when Admiral Mayo received the orders to leave he could not believe it, and wired for confirmation of orders, and he received them, and was ordered again to take his ships and get out. And he did it, very reluctantly; but they left us alone.

The CHAIRMAN. You were taken to Galveston then, were you?

Capt. HANSON. Yes, sir; we were taken to Galveston.

The CHAIRMAN. And that is what you meant by saying that you were shanghaied?

Capt. HANSON. Yes, sir. We were taken out without our consent or knowledge.

The CHAIRMAN. Were any protests made to the officers of the boats?

Capt. HANSON. Yes, sir; and they told us, "that was orders"; that they had orders to take us there, and they were going to do it, and they did.

The CHAIRMAN. From Galveston, where did you go?

Capt. HANSON. When we arrived at Galveston we held a few indignation meetings and "resolved and whereased" a while and came to Washington as a committee. I had the honor of being on that committee that came to Washington to deliver personally a protest and about a thousand sworn affidavits of outrages that had been committed in that country, to our Government.

The CHAIRMAN. Whom did you see here?

Capt. HANSON. When we arrived we saw Mr. Garrison.

The CHAIRMAN. The Secretary of War?

Capt. HANSON. The Secretary of War, who treated us very nice, was very sympathetic, and listened to our stories, and promised to do all that was within his power. Then we went to see Mr. Daniels. During the conversation he asked us what we were kicking about. We told him that we thought the Government had treated us very badly by taking the ships out and leaving us there unprotected, after depending on them for so many months and being assured of protection from this Government, and he asked us the plain question as to whether or not we thought that this Government should use her Army and Navy to protect a lot of filibusters, schemers, and adventurers, who had gone to Mexico to exploit the Mexican people.

That brought on a kind of a scrap and things got a little personal and we left.

The CHAIRMAN. Did you see the President?

Capt. HANSON. No, sir; we did not. We tried but did not see him.

The CHAIRMAN. What did you do then?

Capt. HANSON. Some of the committee saw Mr. Bryan. I was not present at the conference, but the chairman of our committee, Mr. Lucas, had several interviews with Mr. Bryan and he treated us very nicely, so far as part of our requests were concerned. You see our people were starving in Galveston; that is, they would have starved if it had not been for the good people of Galveston coming to their relief, and also from other portions of the State, and we wanted money sent down there to feed our people at Galveston. He granted that very readily, and sent money there, and then we asked him for transportation to get them to where they used to live, not to their homes, but a great many of them wanted to go back to where they had acquaintances that they thought they could depend on, and through Mr. Bryan we received transportation for them to wherever they wanted to go in the United States.

The CHAIRMAN. They did not get transportation back to Mexico?

Capt. HANSON. No, sir; he would not agree—I think it was three weeks that we stayed here and worked before we got anything from the department and they finally agreed to put a transport at Galveston and allow such men as had business there to return, but no women, with the exception of some nurses—three or four nurses that were formerly in a hospital in Tampico. But prior to getting on the transport they all had to sign a document to the effect that they did not hold this Government responsible, or something of the kind. I was not there—I do not know, but it is in the testimony before this

committee as to the nature of that document that they signed, under Mr. Lester's report.

The CHAIRMAN. You refer to the Lester report in Part 16 of these hearings? Were you there in Tampico when the sailors, the United States sailors, and the launch supposed to be seeking a supply of gasoline, were arrested by Zaragoza's troops?

Capt. HANSON. Yes, sir. During the battle of December, 1913, between Carrancistas, 8,000 strong, attacking the Federals or Huertistas, 3,500 strong, there were a few Americans, that, knowing our Government was against Huerta and backing the Carrancistas, wanted to make friends with the Carrancistas, and on various occasions requested passports from Gen. Zaragoza to go out of the city on different excuses, but in truth, some of them went to report to the Carrancistas where the Federals were stationed, and what they were doing. In other words, to give them information against the Huertistas.

After fighting some 10 or 12 days the Carrancistas ran out of ammunition and retired, and between that time and the time of their next attack, the following April, Gen. Zaragoza had found that some of these Americans had not been true to the trust that he had reposed in them, and had given information to the Carrancistas; therefore, on the following April, when the Carrancistas returned to attack them, he gave orders that no one should leave the city without an order from him—and he refused to give it—in order that the Carrancistas might not be informed as to their movements inside of Tampico.

My understanding was that this boat from one of our battleships started down below, or passed the Iturbide Bridge, where the arroya ran into the Panuco River in the city of Tampico. As they were passing they were halted by the captain in charge, who was guarding that point, and brought ashore. He turned them over to a petty officer and started them up to the headquarters—Zaragoza's headquarters. He met an officer of superior authority who asked him what he was doing with those marines. He answered that they had attempted to go by the mouth of this arroya down the Panuco River, against his instructions, and he ordered him at once to turn them loose.

The CHAIRMAN. That is, the superior officer?

Capt. HANSON. The superior officer ordered him to turn them loose at once and put them back in their boat and send them back to the ship, which was done. Gen. Zaragoza, immediately upon hearing of this incident, wrote a note of apology to Admiral Mayo. Admiral Mayo refused to accept it and demanded that he come in person, and, if I am not mistaken, I went with Consul Miller to the firing line and summoned Gen. Zaragoza to go before Admiral Mayo.

Upon his arrival there Admiral Mayo demanded an apology, and he apologized in every possible way that he could, but told him that he could not comply with the demand that Admiral Mayo made, which was to erect an American flag on Mexican soil and fire a salute of 21 guns, but Gen. Zaragoza told him that he had no authority to do that; that that was a diplomatic matter and that he would have to refer the matter to President Huerta. He gave him until 6 o'clock the following day to do so. I understood that he wired this information and demand to Gen. Huerta, and that he wired back, acquiescing

in it, provided Admiral Mayo would accept the apology by answering him with 8 guns, which was refused, as it might have been construed an act of recognition.

The CHAIRMAN. Now, to return a moment to the condition of your property. You say that the orange grove has been burned and the house looted, the furniture destroyed, etc., and there is no stock remaining. What about—what became of your commissary?

Capt. HANSON. The commissary was taken, the same as everything else.

The CHAIRMAN. There was no attempt to take any of this property by judicial procedure?

Capt. HANSON. Oh, no, sir.

The CHAIRMAN. Were there any receipts issued for it?

Capt. HANSON. No, sir.

The CHAIRMAN. By any officers or soldiers or anyone else?

Capt. HANSON. No, sir.

The CHAIRMAN. They just simply were confiscated, like a train robber would confiscate an express package?

Capt. HANSON. Yes, sir; and they did confiscate the ranch, but through the influence of Mr. Merrem, who remained on one of the adjoining ranches, it was finally released to him for us.

The CHAIRMAN. Well, in this attempt to confiscate the ranch, what do you mean by "attempt to confiscate"?

Capt. HANSON. They took charge of it.

The CHAIRMAN. Again just like a train robber who would confiscate an express package?

Capt. HANSON. Just the same thing. They forced a great many of my workmen into their army, murdered a lot of them, and my information is, took a great many of the women folks with them.

The CHAIRMAN. Are you familiar with any other American settlements or colonies, or others engaged in agriculture or pursuits of like character in that country?

Capt. HANSON. Yes, sir; there were something like 15 or 20 colonies of American citizens scattered all over that country.

The CHAIRMAN. About what was the size of these colonies?

Capt. HANSON. Well, they ran from 10 families to 350.

The CHAIRMAN. Engaged in general agriculture?

Capt. HANSON. And stock raising.

The CHAIRMAN. What were the classes of these Americans? Where did they come from?

Capt. HANSON. They came from the United States, different portions, and they were a splendid class of gentlemen.

The CHAIRMAN. Did they have their families with them? Wives and children?

Capt. HANSON. Yes, sir; wives and children. They built school-houses and churches and went there to make that their home and lived there and obeyed the laws, and during the time I was there in Mexico I never heard of one American being arrested for any offense or any violation of the laws in all these colonies; that is, while Diaz was in power.

The CHAIRMAN. Were these men engaged in speculation of any kind?

Capt. HANSON. No, sir; they were poor people, the majority of them.

The CHAIRMAN. Now, what character of agricultural implements did they use generally in these colonies?

Capt. HANSON. American, imported from the United States.

The CHAIRMAN. What agricultural implements were the Mexicans using, when these colonies went there?

Capt. HANSON. They were using wood plows and oxen, tied up around the heads.

The CHAIRMAN. That is, you mean that instead of using the ox bow, as we would use it, they drive the oxen with ropes and a stick tied to the horns?

Capt. HANSON. Yes, sir; a stick tied across the head—the ancient method. You see pictures where they did the same thing hundreds of years ago.

The CHAIRMAN. Now, you say they had wooden plows, Were the plows made anything like ours—double-handled?

Capt. HANSON. No, sir; one handle. They would cut a long pole and then put another upright piece down here and on the end of that they would get some kind of a piece of iron or something else, and tie it on, or rivet it in some way, and that is what they used for a plow, one handle.

The CHAIRMAN. Before the Americans were driven out of there, had the Mexicans begun to learn, or were they learning the use of up-to-date agricultural machinery, plows, and so forth?

Capt. HANSON. Oh, yes; immediately upon our taking charge of this ranch we discarded everything of a Mexican nature, and we bought all our wagons, buggies, hacks, and all kinds of farming implements, including sprayers, high-power sprayers, gasoline sprayers, for our trees—everything was imported—saddles, American saddles, American harness, and, in fact, everything American. The Mexicans all over the country there, the Mexican ranch men, and the Mexican farmers, would come over and watch us use them, and then they wanted one like it, and I would order plows from this country for my Mexican neighbors, and there got to be such a demand that C. Holck & Co., of Monterey, secured the agency for the Pony Disc plow. I remember that, and they received them by the carload and were sold all over that country from the samples that we had taken in to this one ranch. Now, every other American in that country had a like experience in every section where he lived. The Americans, by using American manufactured implements and harness, saddles, etc. flooded that country all over with American implements and American manufactured goods.

The CHAIRMAN. When the Mexican did get an American stock saddle, would he use that in preference to the old Mexican saddle?

Capt. HANSON. Yes, sir; they were wild about them; all the ranch men in that country wanted saddles just like mine that I had purchased in San Antonio, Tex.—that also applied to buggies and hacks. I ordered several of these mountain hacks for my Mexican neighbors.

The CHAIRMAN. Then these Americans were not only engaged in attempting to benefit themselves and establish homes there, but were also the direct cause of increased trade with this country?

Capt. HANSON. Oh, yes.

The CHAIRMAN. In the sale of agricultural implements and general articles, such as you have described?

Capt. HANSON. Yes, sir; and I want to say in connection with this, that every American in that country, without exception, when he settled in Mexico, and went there to make it his home, worked for the upbuilding of that country, and the institutions of that country, just the same as the Americans do in any section of the United States in which they may live.

The CHAIRMAN. Then, did the Americans pay the same wages that the Mexicans were earning in like character of work? Did they pay the same wages that the Mexicans themselves employing that labor, paid?

Capt. HANSON. No; they paid increased wages, and that was the only friction between Mexican ranchmen and the newcomers or the Americans there; they objected to us raising the price of the native labor.

The CHAIRMAN. Have you, or your company, or the people that were associated with you, ever received any money or anything of value for your investment there in Mexico?

Capt. HANSON. Not one dollar. Our damages up to date from the best information that I can get will run right around \$400,000 gold, and we have never received one cent.

The CHAIRMAN. How much actual cash that you know of did you invest there, aside from the increased value of your property—just actual cash invested?

Capt. HANSON. We invested about \$400,000, in improvements.

The CHAIRMAN. And that, together with increased value which you place upon the land, has been approximately a total loss?

Capt. HANSON. Yes, sir.

The CHAIRMAN. The raw land, I suppose, is still there?

Capt. HANSON. The raw land is there, but the fences and everything else destroyed. If we go back we will have to commence from the ground up and build over.

The CHAIRMAN. Do you hope to go back?

Capt. HANSON. Well, I hope to go back; but, of course, I would not go back under the present condition of things there. If this Government ever straightens up and does the proper thing in Mexico and gives the American pioneers guaranties for life and property, I would be glad to go back and make that my home. I like Mexico and I like the people.

The CHAIRMAN. Do you mean to say that you would take your family—you are a man of family?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Do you mean to say you would take your family back there and live there?

Capt. HANSON. Yes, sir; I have educated two boys; given them a collegiate education with the expectation of taking them to Mexico with me.

The CHAIRMAN. Now, as to the other colonists who have been driven out of there, as shown by the testimony in this case, with which you are familiar, would these colonists who have been driven out, as you were, go back there if they could?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You know many of them, do you?

Capt. HANSON. Yes; personally I know a great many of them, and I want to say those colonists as a rule were poor people; they would

sell their homes in this country, take the proceeds and go to Mexico, and invest in land and build themselves a home there. Those homes have been destroyed, just as mine has, and they have been brought out of that country; ran out of that country; and many of them have been living in poverty and want in this country since their departure from Mexico.

They are in a horrible condition, many of them that I know personally, and they are as good people as the sun ever shone on, and they deserve more consideration than they have received; they are in a very bad shape and have shown themselves to be very deserving people, and good Americans.

The CHAIRMAN. You mean that they deserve decent consideration, at any rate?

Capt. HANSON. Yes, sir; different consideration than they have received.

The CHAIRMAN. What has been the effect upon the minds of the Mexicans generally in Mexico of the policy pursued by this Government in allowing the colonists and settlers, American citizens, to be driven out of Mexico?

Capt. HANSON. Well, they have simply lost all respect for us. When we went to Tampico and that section we were considered first-class, and given every attention possible; in fact, we were given better attention than any other foreign nationality, and when I left there a Chinaman was better respected than any American. They have no faith in our Government, and especially since their treatment at Vera Cruz. Our Government went in there; they expected help; and thought we were there to stay; they helped our Government and soldiers in every conceivable way possible, only to be left there and shot down like dogs after we left. That has caused the Mexican people not to have very much confidence in our Government. That is one of the reasons, because they trusted us, and felt that when we went in there we would never leave until we established a government with guarantees, and after we left them they were shot down because they had assisted the American soldiers.

The CHAIRMAN. Suppose that the United States were to develop another policy, would tell the Americans who were driven out of these colonies that this Government would protect them if they desired to go back into Mexico, and to take over their homes again, and start to build them up, what, in your judgment, would be the effect on the minds of the Mexicans of that community?

Capt. HANSON. They would receive them with open arms and with gratitude.

The CHAIRMAN. Would you be able, do you think, to secure labor from the Mexicans themselves?

Capt. HANSON. Yes, sir; all we might need. The Mexican people are friends of the American people; that is, the submerged class, the 80 per cent. They want the Americans there; they like them because they make money out of them, and receive humane and good treatment for themselves and families. I had Mexicans on my ranch to tell me that they were receiving better treatment during those eight years that we were there, and others in that community, than they had received before, and they were tickled to death that the Americans were there.

The CHAIRMAN. Do you think that the Americans would be welcome again if it is understood that the United States would protect its citizens there, and enable them to protect themselves, and thus to afford protection for the Mexicans who wanted to work for them?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Now, who is it in Mexico who are against the Americans and against their return? What class of Mexicans?

Capt. HANSON. Well, it is a class of people that have come to the front under the Madero revolution. It started along in that time and when Diaz was overthrown; since then it has been conducted to a great extent by ignorant people, who rose to influence by loot, by theft, and by murder to the high places, and they have controlled by the iron hand, and the policy of our Government has been to arm those people. Naturally, that bunch has disarmed the 80 per cent, and if one of the 80 per cent does not agree with their policies or has anything to say about them, he is murdered; he is killed; and the 80 per cent of the people are under the guns of the people whom this Government has armed.

The CHAIRMAN. Now, what was the policy of the Mexican Government with reference to arms throughout Mexico prior to this revolution?

Capt. HANSON. They were not allowed to have any kind of arms. Diaz would not allow it. If a man had a shotgun on his place he would think he was a revolutionist—would not allow any of them to have any kind of arms without permission. Of course, if a man could get a license to have arms he would be all right, but there were very few allowed to have a gun.

The CHAIRMAN. Was the American or the Mexican traveling through that country, horseback or on foot, or in a vehicle of any kind—was he safe from attack?

Capt. HANSON. Perfectly, more so than he would be in this country.

The CHAIRMAN. Were there soldiers, large numbers of soldiers, a large standing army, in Mexico? Were their soldiers around in your vicinity?

Capt. HANSON. We had no soldiers. We had a few policemen over at this little town, but no soldiers. It was not necessary. I want to say another thing, that during my knowledge of Mexico, up to the time of the revolution, I never knew of one bank robbery; during the time I have known Mexico—for 25 or 30 years—I have never known but one train robbery during the Diaz régime in Mexico. And in the 8 years that I lived there, up to the time of the revolution, my stock ran all over the country and I never lost but one animal that I knew of by theft.

The CHAIRMAN. Now, since you were finally brought out of Mexico, run out, and then by your Government brought out, in order to protect you, what have you been engaged in generally?

Capt. HANSON. When I came out of Mexico the last time I at once went to work as special agent of the San Antonio Uvalde & Gulf Railroad, with headquarters in San Antonio, Tex.

The CHAIRMAN. On a salary?

Capt. HANSON. On a salary of \$150 a month. And on the 1st day of January, 1918, I was requested by my friends to accept a captaincy in the Texas Rangers, and at that time the Texas Rangers were mostly stationed on the Rio Grande border, and inasmuch as

there was a great deal of German propaganda and anti-Americanism throughout Mexico and along the border, and on account of my acquaintance with the Mexicans and the country and the people, they requested me to accept this position, which I did, at \$125 a month. I served in that capacity up to the present time. I still hold my commission as senior captain of the State Rangers, but secured a furlough on the 1st day of September, 1919, to assist this committee in their investigation work.

The CHAIRMAN. You speak the Spanish language, do you?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Does your family speak the language, your sons?

Capt. HANSON. Yes, sir; my boys all speak it.

The CHAIRMAN. Now, in your work as special agent of the railroad company along the border, and then as ranger, have you had reason to have your attention brought, directed to this German propaganda of which you speak?

The CHAIRMAN. You also, of course, are familiar with what is known as the Plan San Diego that has been testified to here?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You saw the operation of that plan by the Mexicans?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Were the Germans, in their propaganda and their work, in accordance with this Plan San Diego?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You have read, of course, the Zimmerman note to Mexico?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Is that along the line of this, along the line of the Plan San Diego?

Capt. HANSON. Along the line of it; yes, sir.

The CHAIRMAN. Do you know whether the same plan of San Diego and the plan of the Zimmerman note are still received as something that might be carried out by Mexican agitators?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You have, in assisting the committee, investigated the activities of Mexicans in connection with propaganda along the river, the boundary?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You are familiar with the letters that have been introduced here, photostatic copies of letters from Carranza and from officials of the Carranza Government to agitators?

Capt. HANSON. Yes, sir.

The CHAIRMAN. They are extreme radicals?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And part of your duty with this committee has been to investigate, to run down and check up reports of that kind?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Then you think that up to the time you left the border, that is, the latter part of March of this year, Mexicans were still engaged in agitating against this Government?

Capt. HANSON. Yes, sir; they were.

The CHAIRMAN. On both sides of the border?

Capt. HANSON. On both sides of the border.

The CHAIRMAN. And with what element generally on this side of the border were they connected, if you know?

Capt. HANSON. Well, with the radical element.

The CHAIRMAN. What particular name is given to that radical element generally?

Capt. HANSON. The I. W. W. and communists.

The CHAIRMAN. It has been testified to in various hearings in this case, and by various witnesses that armed raids and acts of violence have been committed by people coming from Mexico across the international border and committed against or upon the lives and property of American citizens in the United States. Have you in your experience or within your knowledge ever learned of any raid by Americans upon the other side of the border at any time?

Capt. HANSON. I have never heard of anything of the kind.

The CHAIRMAN. Have the Texas Rangers been allowed to go across the international border when they chose to do so?

Capt. HANSON. No, sir; only with soldiers.

The CHAIRMAN. That is, with regular soldiers of the United States?

Capt. HANSON. Yes, sir.

The CHAIRMAN. So that, of your own initiative or acting under orders from your own State government, you have not been allowed to pursue even raiding parties?

Capt. HANSON. No, sir; we could pursue them to the river, but never across.

The CHAIRMAN. So, if you were on a hot trail you were not allowed to cross?

Capt. HANSON. No, sir.

The CHAIRMAN. You have, however, cooperated with the regular forces of the United States?

Capt. HANSON. Yes, sir; the Rangers have been over several times but always under command of the United States Army.

The CHAIRMAN. Now, since the year 1911, we will say, have American citizens from Texas been allowed to go across the border with arms?

Capt. No, sir.

The CHAIRMAN. By whom were they prevented from carrying arms into Mexico?

Capt. HANSON. By their own Government.

The CHAIRMAN. Do you know what the rule was with reference to our soldiers guarding the border if they saw any American attempting to go across with arms?

Capt. HANSON. They would arrest him.

The CHAIRMAN. Then American citizens having business in Mexico or desiring to cross the border were prevented both by the orders of the Mexicans and by our own armed forces from carrying arms even for their own protection?

Capt. HANSON. Yes, sir.

The CHAIRMAN. So that Americans who have crossed have been compelled to go unarmed?

Capt. HANSON. Unarmed, absolutely, and without protection.

The CHAIRMAN. During these raids, or any of them, from Mexico into the United States, did many Mexicans lose their lives at the hands of officers from this side, or soldiers, troops, or citizens?

Capt. HANSON. Well, of course, I don't know just how many have lost their lives, but the condition growing out of that plan of San Diego was this: The first thing they knew of it the Mexicans began raiding across the border, but they didn't consider it very serious at first, until finally they captured a copy of the plan of San Diego and saw that all Americans were to be murdered, and Texas, Arizona, New Mexico, and so forth, taken back by Mexico; and then they woke up. The first act then was to concentrate their women and children into the little towns around, and they began to guard the roads into them.

The CHAIRMAN. You are speaking of American citizens in Texas.

Capt. HANSON. Yes, sir; Mexicans and Americans who lived in Texas—citizens. The Mexican population was just about as much excited over it as the Americans were—that is, I mean the Americans of Mexican origin, Mexican blood.

The CHAIRMAN. Who are American citizens residing on this side?

Capt. HANSON. American citizens; yes, sir. And they appealed for aid, and it didn't get there quick enough, and these raiding parties began to come over and wantonly destroy ranches, murder, and rob until it got to be unbearable, and the people, the citizens themselves, rose en masse, and it is true they did kill a good many Mexicans, but the Mexicans that they killed were either raiders, sympathizers, or harborers of the people of the other side.

The CHAIRMAN. And under conditions of that kind, where people were taking the law into their own hands and operating for their own defense, not being protected by their own Government, and on their own soil, I presume that unfortunately some instances may have occurred where innocent people were killed?

Capt. HANSON. Probably so. That is always the case with an uprising. They are blind when they get to that stage, but they were very careful. I know that the rangers and citizens and others were very careful not to commit acts of that kind. Probably they may have done so, but I know the majority of people that were killed on that border were either sympathizers, aiders, or abettors of the people from the other side.

The CHAIRMAN. Or actual raiders.

Capt. HANSON. Actual raiders; yes, sir.

The CHAIRMAN. There is a large Mexican population on the lower Rio Grande in Texas, is there?

Capt. HANSON. Yes, sir.

The CHAIRMAN. What is the general character of that population among those who were born here?

Capt. HANSON. They are peaceable, good citizens, as a rule.

The CHAIRMAN. Were the majority in actual sympathy with any attempt to take back Texas and add it to Mexico?

Capt. HANSON. No, sir; not the majority. The minority probably were.

The CHAIRMAN. Captain, you are more or less familiar, of course, with Texas history; do you know many of those people, the descendants of Mexicans, residing upon this side, who are the descendants of those who joined the Texans in the fight for liberty?

Capt. HANSON. Yes, sir. The Benevidas family, for instance, at Laredo, there are not more loyal Americans on earth than they are.

The CHAIRMAN. As a matter of fact, which is generally lost sight of by those who are not familiar with that history, one very prominent Mexican, Zavala, led a full regiment of natives and assisted materially the Americans under Houston and others in the overthrow of Santa Anna and the attainment of independence by the State of Texas.

Capt. HANSON. Yes, sir. Many of their descendants live in San Antonio, Tex., and around there. Miss Zavala lives there now.

The CHAIRMAN. Zavala was the first lieutenant governor of the State of Texas.

Capt. HANSON. Yes, sir.

The CHAIRMAN. Has there been any change in the feeling of the people of Mexico with respect to law and the rights of property, etc., engendered by the last 10 years of lawlessness in that country, do you know?

Capt. HANSON. Well, I haven't been in Mexico for several years, but my understanding is there are a great many peaceable, law-abiding, hard-working Mexicans that have been forced by the revolutionists into their armies and have been taught to rob, steal, murder, and depredate on people. The younger generation, of course, have been raised now for 10 years right up under that. They have seen nothing but atrocities, and therefore the conditions with reference to the people of Mexico are very much worse now than they were before. They never had any idea or dreamed of anything of that kind under the Diaz régime, but having been taught by these people how to do these things, and when they see their colonels and generals and their officials from the top to the bottom committing these depredations, naturally they felt that they had license to do the same thing.

The CHAIRMAN. Could order and respect for law and the rights of property and human life be restored in Mexico by a firm government?

Capt. HANSON. Yes, sir; with help. Of course they would have to have outside help.

The CHAIRMAN. Do you mean to say that in your judgment the Mexicans themselves have so lost their sense of proportion and of national or international obligation, or of respect for central government that it would be necessary for any central government to have some active support or help?

Capt. HANSON. Yes, sir; a certain class has. They must have help from the outside.

The CHAIRMAN. Captain, in your operations in Mexico you were necessarily in Tampico more or less?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You are familiar with the oil districts there, are you?

Capt. HANSON. Yes, sir.

The CHAIRMAN. During the period of your residence there the oil industry has grown to very large proportions?

Capt. HANSON. Yes, sir.

The CHAIRMAN. How are the oil companies there looked upon, the American oil operators, by the Mexicans generally?

Capt. HANSON. As their saviors. When the oil men went to Mexico, the Mexican laborers were getting from 50 to 75 cents a day, and were uneducated and ignorant. The oil men in every instance where it was possible have employed native labor and mixed with them, their superintendents, and experts in the production of oil and

the manufacture of oil products; and a Mexican, while he may appear ever so ignorant, is smart, naturally smart and quick to catch on.

The CHAIRMAN. An imitator?

Capt. HANSON. An imitator. And a great many of these people have become very proficient in the different lines of work in the oil business, and as they would understand their work better and do it better the oil companies in every case have always raised their wages, until now they are getting as high as 16 to 20 pesos a day. There are men there in very responsible positions that have been educated by the oil men. Those men have, as a rule, taken care of their money and many of them own little homes in Tampico and have a few chickens, and hogs, etc., and are getting along nicely, doing better than they ever had before. They dress better than they ever did and are educating their families. It is all due to the education and wages paid by the oil men.

The CHAIRMAN. In your investigations for this committee, you had some correspondence with reference to radical propaganda?

Capt. HANSON. Yes, sir; here are the original papers [handing papers to the chairman].

The CHAIRMAN. In your correspondence, among others to whom you wrote and from whom you received letters was one Arthur Thompson, who has been a witness before this committee.

Capt. HANSON. Yes, sir.

The CHAIRMAN. It is in testimony that he received a letter signed "Gus Klumpner," to which he replied. Who was Gus Klumpner?

Capt. HANSON. That was myself. I signed that letter "Gus Klumpner."

The CHAIRMAN. Mr. Thompson asked the chairman of the committee during the hearing as to why the name "Gus Klumpner" was signed to the letter to him, to which he had replied. What was your reason for using this name?

Capt. HANSON. It is a German name, and after reading his book, I thought he was a German propagandist, or had been during the war, and was not an American, and I thought he would respond to that name quicker than he would to an American name.

The CHAIRMAN. I notice in one of the letters, a portion of this correspondence, you suggest to Mr. Thompson that you would be glad to have him come before this committee, or suggest to him that he should do so, and give the committee and the people of the United States through the committee the benefit of his knowledge of Mexico and of its people.

Capt. HANSON. Yes, sir.

The CHAIRMAN. Did you think from what you had seen of his writings, etc., that he had any knowledge of Mexico and its people?

Capt. HANSON. I did not. After reading his book I knew he had not.

The CHAIRMAN. And your idea was that rather the people of the United States might understand the colossal ignorance of Carranzista propagandists?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Having read the testimony of Mr. Thompson, I suppose you satisfied yourself upon that point?

Capt. HANSON. Yes, sir.

The CHAIRMAN. As the committee has in various portions of the evidence already offered testimony along this line, we will not put into the record at this time the correspondence itself, but we will keep that in the files of the committee.

Capt. HANSON. I was requested to get a picture of the destruction in Mexico. This photograph shows the Monterrey R. R. depot before, and then it shows it after they had destroyed it—after they had burned it.

The CHAIRMAN. The witness is explaining certain photographs showing the Monterrey depot, both before and since its destruction by the revolutionary forces or bandits in Mexico, which will be filed in the committee's records.

In the investigations carried on by this committee among various colonies which are mentioned, I notice the colony of Manuel. Where was that colony?

Capt. HANSON. That was about 40 miles northwest of Tampico, on the railroad.

The CHAIRMAN. Well, how many people were there; do you know?

Capt. HANSON. There were about 10 families.

The CHAIRMAN. What was the value of the property lost there, if you know?

Capt. HANSON. About \$100,000.

The CHAIRMAN. Where is the colony of Rio Verde?

Capt. HANSON. Rio Verde is on the San Luis branch of the Mexican National Railways, between Tampico and San Luis Potosi.

The CHAIRMAN. About how many families were there?

Mr. HANSON. Twenty.

The CHAIRMAN. What was the amount of the loss there, if you know?

Capt. HANSON. Approximately \$200,000.

The CHAIRMAN. Where is the colony of Vallas?

Capt. HANSON. It is on the same railroad, near Rio Verde.

The CHAIRMAN. And there were about 50 families there?

Capt. HANSON. Yes, sir.

The CHAIRMAN. A total loss of about how much?

Capt. HANSON. About \$500,000.

The CHAIRMAN. Where is the colony of Victoria?

Capt. HANSON. At the capital of the State of Tamaulipas. There are about 20 families there yet.

The CHAIRMAN. And the loss was approximately \$200,000?

Capt. HANSON. Yes, sir. These figures are approximated.

The CHAIRMAN. Do you know anything about where Thomas Ewing was?

Capt. HANSON. No, sir. The committee has some letters there from those people.

The CHAIRMAN. The committee has received certain letters from parties whom you name, and which letters are here now before the committee, one from Thomas Ewing, claiming a loss of \$342,518.12. You have examined that letter, have you?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And from the examination of the letter are you satisfied—have you satisfied yourself of the approximate truth of the statements contained in it?

Capt. HANSON. Yes, sir; so far as I know it is supported by sworn affidavits.

The CHAIRMAN. There is a letter here from L. Gunter, claiming a loss of \$8,640. You have examined that letter, have you?

Capt. HANSON. Yes, sir.

The CHAIRMAN. There is a letter here from John W. Glaze, claiming a loss of \$3,531. That contains an itemized account.

I will state that these letters will be placed in the record, following the testimony of this witness.

We have a letter from L. J. Kolklosch, claiming a loss of \$89,800. Also a statement from J. Lilywhite, with reference to the Morelos Colony. This J. Lilywhite was a witness whom the committee attempted to secure—the attendance of whom the committee attempted to secure at Tucson, and was unable to do so because of the breaking down of his automobile. That statement will be placed in the record also.

(The letters referred to appear in the appendix following the testimony of this witness.)

Capt. HANSON. Here is something—I don't know whether it ought to go into the record, but it ought to go into the files of the committee. You might put the whole thing in, leaving the name out.

The CHAIRMAN. This statement which you have handed the committee, being a statement of L. Witzke, was taken by yourself, or in your presence, and also in the presence of an intelligence officer of the United States Army.

Mr. HANSON. Yes, sir.

The CHAIRMAN. This statement of Witzke will be filed with the testimony.

(The statement referred to appears in the appendix following the testimony of this witness.)

This is a statement obtained by the investigator from one Rowe with reference to his kidnapping, the statement being made at San Antonio, December 3, 1919, which will be published as part of this hearing.

(The statement referred to appears in the appendix following the testimony of this witness.)

This is a list of Americans killed in Mexico not in the "murder maps." The deaths of these men have all been checked up from other portions of the testimony, and it will now be incorporated in the record, simply as containing the names, dates, etc., of the deaths.

(List referred to appears in the appendix following the testimony of this witness.)

The Chairman will offer as part of the hearing in this case, to be printed in this part of the hearing, executive document No. 98, Thirty-sixth Congress, first session, being the Treaty of Transit and Commerce with Mexico, with a message from the then President of the United States under date of January 4, 1860, containing also a letter from the then minister, Robert McLean, to the Secretary of State, Mr. Cass, under date of December 14, 1859; also containing a convention to enforce treaty stipulations.

(The document referred to appears in the appendix following the testimony of this witness.)

There will also be printed in the record at this time, although not in the proper place, the written memorandum referred to in the

testimony of Mr. Kellogg, given heretofore, concerning the oil laws of Mexico.

(The memorandum referred to appears in the appendix following the testimony of this witness.)

Also there will be filed and printed in this record the transcript of the judgment of the Texas court of criminal appeals in the case of Jose Antonio Arce et al., appellants, v. State of Texas, of April 17, 1918, which will be printed in the record.

(The paper referred to appears in the appendix following the testimony of this witness.)

Also the affidavit of E. E. Dickason, repealing the testimony of Henry Forrest, containing on page 1187 of the printed record, in so far as that testimony mentions Mr. Dickason. The affidavit will be printed in justice to Mr. Dickason without any expression of opinion from the committee as to the veracity of the testimony or the affidavit.

(The affidavit referred to appears in the appendix following the testimony of this witness.)

Also an affidavit of Mrs. R. L. Sanford, concerning outrages upon herself, the affidavit being executed before a notary public of the State of Texas on the 19th day of April of this year.

(The affidavit referred to appears in the appendix following the testimony of this witness.)

Also the affidavit of ———, made on the 30th day of January, 1920, which will be printed with the name of the party making the affidavit in blank for the protection of such party. After the printed record is completed the original will be returned to the committee for its executive files. Any American names mentioned in the affidavit will be stricken out. This man is still doing business in Mexico.

(The affidavit referred to appears in the appendix following the testimony of this witness.)

Also the statement of ——— with reference to his capture by and experiences while with Francisco Villa, executed on the 30th day of January, 1920, which will be printed with the names in blank, and the original will be returned to the committee for its executive files.

(The paper referred to appears in the appendix following the testimony of this witness.)

Also the affidavit of Charles S. Dolly, made on the 19th of August, 1919, with a letter accompanying same, which will be printed in full.

(The affidavit and letter referred to appear in the appendix following the testimony of this witness.)

Also letter with an accompanying account from W. A. Lyon, which will be printed in full in the record.

(The letter and account referred to appear in the appendix following the testimony of this witness.)

Also affidavit and letter from Charles F. Simon, which will be printed in full in the record; these affidavits containing claims for damages.

(The affidavits and letter referred to appear in the appendix following the testimony of this witness.)

Also affidavits of Mrs. R. L. Fisher, B. H. Brown, and Joe Stempfle, with relation to the murder of Wilford O. Robertson, which will be printed in full in the record.

(The affidavits referred to appear in the appendix following the testimony of this witness.)

These affidavits and letters have been received by the committee and full credit given them, as it was impossible for the committee to reach and secure the attendance of each witness of whom it knew, and therefore it directed letters to be written to various parties with the statement that their affidavits or letters concerning their claims or subjects of interest would be received and printed in the record, which is now being done.

Also there will be printed in this part certain portions of Army intelligence reports concerning radical activity and bolshevist propaganda in Mexico. The direct source of this information will not be given, as it might interfere with the work of another department of this Government still being carried on in other places than Washington.

(The extracts from reports referred to appear in the appendix following the testimony of this witness.)

In connection with the last document there will be printed the report of special agent Capt. Hanson, as made by him to the adjutant general of Texas, and also to this committee.

(The report referred to appears in the appendix following the testimony of this witness.)

With the printing of this record the hearings before the committee at this immediate time will be concluded, to be taken up from time to time at the call of the chairman; the committee, under the instructions of the Foreign Relations Committee, continuing its investigations when, in the opinion of the chairman, the same is necessary.

(Whereupon, at 2.30 o'clock p. m., the committee adjourned.)

APPENDIX.

SAWTELLE, CALIF., *March 13, 1920.*

Maj. DAN M. JACKSON,
San Diego, Calif.

DEAR SIR: I had not been informed that the Senate committee on investigation of Mexican affairs was to be in Los Angeles until I seen in the papers where the committee had arrived and departed for San Diego, with the expectation of returning to Los Angeles at a later date, so if you will notify me when this committee is to convene in Los Angeles I will be very pleased to place my claim before them and give such information as may be required.

Thanking you for past favors, I remain

Yours, respectfully,

THOMAS EWING,
Bor 378, Sawtelle, Calif.

SAWTELLE, CALIF., *March 18, 1920.*

Maj. DAN M. JACKSON,
*Secretary Senate Investigation Committee on Mexican Affairs,
Los Angeles, Calif.*

DEAR SIR: At your request I hereby give the amounts of the different claims that I am filing with the Secretary of State, at Washington, D. C.:

Claim.		Ewing's loss.
A. Loss of Ewing Mine, loss to Ewing & Stroyick.....	\$10,000.00	\$5,000.00
B. Loss of La Descada, loss to Ewing & Cornick.....	30,000.00	15,000.00
C. Loss of La Blanca Mine.....	10,550.00	10,550.00
D. Loss of San Antonio Mine, loss to Ewing & Dudley....	45,000.00	17,500.00
E. Loss of San Antonio No. 2, Ewing & Cornick.....	40,000.00	20,000.00
F. Loss of San Antonio No. 3, Ewing & Cornick.....	40,000.00	20,000.00
G. Loss of San Miguel Mine, San Miguel-Sonora Gold Mining Co., S. A., Thomas Ewing, president.....	525,000.00	205,078.12
H. Loss of San Bernardino No. 2, Ewing & Stroyick.....	15,000.00	7,500.00
J. Loss of San Bernardino No. 3, Ewing & Stroyick.....	15,000.00	7,500.00
K. Loss of Turkey Track Mine, Ewing & Cornick.....	57,000.00	27,500.00
L. Loss of personal property on his ranch.....	6,890.00	6,890.00
Total claim.....	794,440.00	342,518.12

THOMAS EWING,
Soldiers Home, Calif.

KERENS, TEX., *January 30, 1920.*

Maj. DAN M. JACKSON,
*Secretary of the Subcommittee on Foreign Relations,
El Paso, Tex.*

DEAR SIR: I am in receipt of letter dated January 24, from Senator Albert B. Fall, chairman of Committee on Foreign Relations, from his office in San Antonio, Tex., requesting that I write your detailing the circumstances, and amount of loss suffered from Mexican thieves.

I lost from thieves, believed to be from Mexico, 125 head of cattle, about one-half of these were three and four year old, steers, and balance were cows, and two-year olds, which were valued at that time at about \$60 each. I also lost 19 head of saddle or cow horses, which I valued at \$60 each.

These horses and cattle were stolen from my ranch in Duval County, Tex., during and between the years 1913 and 1915. about the time the country was overrun by Mexican thieves believed to be from Mexico, as some of the horses were traced back almost to the Rio Grande River, and believed to have been carried into Mexico.

Trusting this is the information wanted, and awaiting your reply, I am,

Yours very truly,

L. GUNTER.

FILLMORE, OKLA., February 2, 1920.

COMMITTEE ON FOREIGN RELATIONS,

El Paso, Tex.

DEAR SIR: My father, John W. Glaze, is sick, so will send in his list for him.

John W. Glaze's Mexico damages.

1 good saddle horse.....	\$50
1 American mule.....	200
1 American mare.....	125
5 cow yearlings.....	100
6 young American cows.....	300
3 Mexican mules.....	150
1 American saddle.....	32
70 acres of field grown up.....	350
300 yards of 1-inch water piping.....	100
Household stuff.....	200
Chicken wire.....	100
30 bearing orange trees.....	180
50 bearing banana trees.....	50
2 dozen chickens.....	24
Farming tools.....	70
House and barn.....	1,500
Total.....	3,531

C. L. GLAZE.

Subscribed and sworn to before me on this 2d day of February, 1920.

[SEAL.]

H. J. GREEN, *Notary Public.*

My commission expires September 30, 1922.

FILLMORE, OKLA., February 2, 1920.

SUBCOMMITTEE TO INVESTIGATE MEXICAN AFFAIRS.

DEAR SIR: I am a member of the Blalock Mexico Colony, located at Chamal, Tamps, Mexico.

My place was not bothered much till in January, 1915, 200 Villa soldiers camped in my cornfield, carrying off and destroying most of corn.

From this time on things grew from bad to worse, as soon as Carranza's soldiers got possession of country in which our colony is located. I went before the head officer and asked for protection. He laughed at me and told me to let the poor fellows have what they wanted.

Had to keep work stock tied in brush to keep soldiers from taking them. We were uneasy all the time, because we knew that we did not have any protection.

Carranza's soldiers forced Americans to give up all guns and pistols where they found out we had any.

It got so bad that in June, 1916, my family and myself and other Americans decided to leave Mexico. As we passed through Mexican town to railroad station, Carranza's soldiers threatened to hold us there and not let us go on. At railroad station we had to pay conductor on train \$100 to hold train long enough for us Americans to load our own baggage on train.

When we boarded train at Tampico for Monterey, two of Carranza's soldiers, armed with pistols, robbed my wife of her watch and chain and \$5 United States money.

In Monterey American women were insulted at waiting room by Carranza's soldiers.

After Carranza was recognized, the Americans in Mexico were treated like dogs.

I reached the border without a dollar, and have worked by the day and rented land ever since.

Respectfully,

C. L. GLAZE.

This is an itemized statement of my losses in Mexico:

9 head of cattle, at \$30 per head.....	\$270
1 wagon.....	50
1 saddle.....	10
25 head of hogs, at \$10 per head.....	250
Farm implements.....	150
Household stuff.....	100
Watch and chain.....	50
American money stolen.....	5
2 dozen chickens.....	12
600 bushels of corn.....	600
Provisions.....	20
1 team of mules.....	200
Damage to buildings.....	500
Damage to fences.....	300
For 20 acre field growing up.....	60
Loss of rent on 60-acre field for 3 years.....	900

3. 477

I made out this statement to the best of my ability.

C. L. GLAZE.

Subscribed and sworn to before me this 2d day of February, 1920.

[SEAL.]

H. J. GREEN, *Notary Public*.

My commission expires September 30, 1922.

LAREDO, TEX., January 28, 1920,

To the Subcommittee to Investigate Mexican Affairs, Hon. Albert B. Fall, Chairman.

GENTLEMEN: I am one of those who went to Mexico during the Diaz administration. We were invited there by the Government of Mexico and encouraged by our Government at Washington. I believed with all others who went there that we could depend on the protection vouchsafed by both Mexico and the United States in our rights of lives and property.

We could not have asked more than we were accorded in protection and respect by the Mexican Government and people under the incumbency of President Diaz. Not until the overthrow of the Diaz régime and the election of Francisco Madero as president of Mexico, did we feel seriously affected in our colony at Columbus, Tamaulipas.

One summer morning we were hunted at our houses and fields in and around Columbus as if it were a round-up of cattle. That is fully described in my complaint to the State Department at Washington, D. C., during the incumbency of Mr. Bryan, Secretary of State. Up to that time we did not feel the force of the criminal laws in Mexico, and now only by a "frame-up" against our colony. We felt as safe from harm heretofore as we ever felt in our homes in the United States.

There were no robberies, no bandit raids, no kidnapping for ransom, no killings of both native and foreign peoples, no ravishing of women and young girls, no ruthless destruction of property, no intimidation of people to cause them to flee from the country, no question of the rights of possession and use of property purchased, no question of surface and oil rights, no question of the rights to buy and sell lands, no question or reservation excepting, I think, to land along the northern boundary, no objection to the issuance of the Translacion de Dominio necessary to transfer real property from one "American" to another, no talk of "Mexico for Mexicans," no decrees abridging the rights of our people in anything excepting franchise which we did not desire nor expect, no decrees carrying force of confiscation of our vested rights in our lands, no extortion in the rates of taxation, and no interference in transportation of produce and passenger service by railroads. Now all is changed.

The fields are retaken by the wild jungle, most of the houses have been carried away or burned, the fences have disappeared, and the whole colony would remind a person of an old abandoned graveyard. The landowners and home builders have one privilege left, and that is to pay taxes at several hundred per cent advance on lands made fruitless by wars, raids, intimidations, and presidential decrees and laws. The final spike that nailed the coffin being the famous article 27 of the new constitution.

Here the picture of homes, fields, and groves was blurred. The dreams of peace and protection were now of destruction and waste. Treaty rights were ignored and

promises were entirely ignored. Property rights were as if written in the sands. Patents to the lands were no more binding than political platforms to carry elections, only good during the campaigns.

We can see a waste of possibly \$500,000 in the Columbus colony alone, where small investors dropped in many cases all they had, and were invited to hasten to the United States and depend on charity of friends. Ask why all this? Later, truth may tell.

I am not of those who may say that the Mexican people are all bad. I would estimate that 95 per cent of them are inclined to peace and industry. Not over 5 per cent rule the masses and are responsible for the reign of terror in Mexico.

The masses are as helpless to defend themselves against that small minority as a flock of sheep against a wolf in their midst. The minority is increasing daily. The majority is daily growing weaker. The minority will never reform within themselves. They are in a normal state from centuries of bandit activity, curbed for a season by President Diaz, and liberated by Francisco Madero. The opening of prison doors was easy. The round-up of the lawless has not been within the power of any leader in Mexico.

What can be done? What will happen, and when?

DAMAGE AND LOSSES.

I have suffered losses, and mental and physical harm that can not easily be estimated:

I bought one-third interest in land.....	\$16,000
Spent preparatory to colonization.....	16,000
Protocalization and taxes, approximately.....	2,000
Schools and teaching.....	500
Gifts and charities.....	300
Expenses in various sums.....	5,500
Damages, article 27, decrees.....	50,000
Total.....	89,300

The above is exclusive of the damages for arrest, abuse, and imprisonment, as per complaint resting in the Department of State, and minor outrages to my person by a Mexican thief, working for the National Lines, whom I caught stealing my onions, and a special outrage I suffered in an attack by a German and a Swede at Columbus. I could get no action by the courts in either case.

Balance on hand for old age, zero.

I inclose the few pages, with the "reservations" that they are not for the press. As you doubtless know, we have no immunity and I have not been immersed in the River Styx, and I still hope to get something out of Mexico. I know not what to do. I am now losing everything in way of crops and rentals by not feeling safe to go. I was selected for kidnaping when I left there last May, through the warning of Mexican friends.

Can not get any one to collect anything for me. I must not be under the ban in Mexico. I did not name the butchery of one of our citizens as I suppose others have done so.

Loyally,

L. J. KALKLOSH.

THE STORY OF THE THEFT OF THE LAND OF THE COLONY MORELOS (MORMON) IN THE STATE OF SONORA, MEXICO.

[As told to me in person by J. Lillywhite, now head man of the colony.]

The Mormon colony Morelos was established in Sonora on the Bavispe River about 1901. It was founded by about a dozen families, mostly from Utah. In 1910 the colony numbered about 700 persons and was in a prosperous condition. The colonists had purchased their land—some 27,000 acres—partly from Cole & Cameron, an American firm of cattlemen, and partly from Mexican owners.

The colonists built some 50 brick dwelling houses, a flour mill, a fine schoolhouse, and fenced and irrigated their lands, adding greatly to the value of their holdings. The farms were stocked with well-bred cattle, horses, hogs, and chickens. The colonists engaged in general farming, the crops consisting of wheat, corn, barley, potatoes and other vegetables, and fruits of many kinds. One year their wheat crop

amounted to 47,000 bushels. An imported stallion owned by a few of the colonists cost \$2,299. Other blooded animals were imported by the colonists.

When Diaz was driven out the colony was flourishing. In the spring of 1912, when Oroszco's Red Flaggers overran Chihuahua, the colonists were asked by the American Government to come out. They complied with the request, but left Mexican caretakers on their property. A few never went back, not having the means. Others went back as soon as they could to take care of their own and of the property of their associates.

Those who went back took in with them an American consul named Dye, who went with them and gathered up along the valley merchandise which had been looted from their stores. Mexicans owning the homes searched invariably denied that they had anything belonging to the colonists, but in the face of these denials goods stolen from the colonists were found in nearly every home. Consul Dye took photographs of the wrecked and looted stores and houses and sent them to Washington.

The mill was destroyed. More than a ton of books, charts, and school paraphernalia had been taken away and destroyed, or were scattered over the country for miles around.

The mill was rebuilt and the machinery replaced by the Lillywhite Brothers. The colony resumed operations and went along with more or less interference by the revolutionists, who dynamited the irrigation dam and helped themselves from time to time to the cattle, horses, and produce of the colonists.

In 1915, when Carranza joined up with Gen. Calles in Sonora and they marched east into Chihuahua, the Mexicans living near the colony had already decided to seize the land of the colonists. Carranza stopped at Colonia Morelos, and these Mexicans appealed to him to divide the lands up among them. When they had finished their plea, J. Lillywhite took Carranza into his buggy and drove him over the colony, pointing out the brick houses, the mill, the growing orchards, and the fields of grain and the irrigation dam, and then, by comparison with 200-year old towns like Fronteras, argued with Carranza that what the Mormons had accomplished in five years would not have been accomplished by native Mexicans in two centuries. Carranza agreed with him and promised to protect the colonists in their rights. On their return he replied to the clamorous Mexicans by saying that he would not have the colonists disturbed; that they had paid for their lands and developed them and made them productive, and were entitled to all they had accumulated. Then he told J. Lillywhite to recall all the missing colonists, saying they were just the class of people the country needed, and he promised then and there to issue permits to the colonists to bring in free of duty any live stock or machinery that they needed to carry on their development work, and also that he would guarantee the colonists protection for life and property.

For a time thereafter the colonists were subjected only to those annoyances arising from marauding visits of occasional bands of revolutionists and bandits.

When Villa was on his way to take Agua Prieta in Sonora, Gen. Calles sent down to the colony a demand that the mill be dismantled at once so that Villa could get no flour. Calles' men took away an important part of the machinery and put the mill out of commission. Villa's men, in trying to get what flour remained in the mill, completely wrecked the machinery. The mill was again rebuilt, but the two crops of wheat then on the ground—one in the stack and one ready to harvest—were seized by Carranza forces before they could be got in. This was at the time that the Pershing punitive expedition started in and when the country was expecting intervention.

Just after this Gen. Calles seized all the land belonging to the colonists and turned it over to the Mexicans who had been clamoring for it. The colonists held the houses then occupied by them and J. Lillywhite held the mill and a small piece of ground which he refused to give up. The Mexicans took the rest of the land, vacant houses and most of the farming tools without compensation to the colonists.

The Mexicans were unable to raise enough to feed themselves, and J. Lillywhite went into other districts and bought and shipped in wheat in order to fill his contract to supply El Tigre Mining Co. The Commissary of the Mexicans who were living on the land belonging to the colonists then appeared at the mill and demanded the flour milled for El Tigre Mining Co. They wanted all there was, but "compromised" on a ton, which was delivered to them. Then they promptly demanded the rest, and had got two tons more when the millman crippled the engine so that they could not get the rest. The Mexicans then appealed to the presidente of the district at Agua Prieta, who went to the colony and arranged with J. Lillywhite for a thousand pounds more of flour on the condition that the Mexicans would pay for it at the next harvest. Only a small part of the three tons and a half was ever paid for. Bad wheat was received for some, and some poor labor was done for another small part. J. Lillywhite's loss on this wheat was more than a thousand dollars.

Since that time the Mexicans have been in possession of the land. They have destroyed many of the buildings and torn up a good many fences, moving the wire to other parts of the country and selling it. They cut down bearing fruit-trees to plant corn, and used about as much judgment in their other farming operations.

Many of the colonists gave up in disgust and came out after turning their claims over to J. Lillywhite. He remained and protested vigorously to the Mexican authorities against the vandalism of those who had seized the properties of the colonists. He was told that he had nothing to do with the properties by the Mexicans in control, and the Mexican authorities simply ignored his protests.

Mr. Lillywhite stated that quite recently the Mexican authorities had made a demand upon him for payment of taxes on the property which had been taken from him and the other colonists.

And that is the way the matter stands at this time.

I have read over the above statement and certify to its truth.

(Signed) J. LILLYWHITE,
Post-office box 413, Douglas, Ariz.

DOUGLAS, ARIZ., November 5, 1919.

L. Witzke, 24 years of age; German citizen; left Germany 1912, arriving in San Francisco 1916. Left United States in March, 1914. Arrested January 31, 1918, at Nogales, Ariz. Since then in custody.

I went to Mexico because I feared a declaration of war between the United States and Germany. I got hold of a Russian passport and the legation secretary sent me to Janke who was the head of the German secret service at Monterrey. He was living in a house belonging to a Mexican, Calle Guerrero 18. He took care of the Germans coming from the United States.

Janke told me that von Eckhardt and Carranza had an agreement and were working together. There was no go-between. Carranza and von Eckhardt always conferred personally. The latter part of 1917 von Eckhardt tried to float a loan for Carranza and I don't know whether he was successful or not, for I was arrested before it was completed. Von Eckhardt offered to put up German securities. When Carranza wanted von Eckhardt he would send for him and he would go in an auto and call on him publicly. As to what took place no one would know for their business was formal. Meetings always took place in Carranza's office in the National Palace.

Swertz was a major in Carranza's Army. He was a German citizen; a noncommissioned officer in German Army. Received his commission in 1916. He had been arrested since arrival in the United States and escaped to Mexico. Gov. Calles being very much pro-German gave him a commission.

Gen. Kloss was a German citizen; now an officer in the Carranza Army. Of course he was very much pro-German.

Ninety per cent of the Mexican Army were anti-American and pro-German since the war started.

There was a proposal to Mexico from Zimmerman to Carranza that if the United States went into the war Germany, Japan, and Mexico were to make an alliance against the United States, and Mexico was to get Texas, New Mexico, Arizona, and California for her part. This was before the war. Carranza tried to get Japan to join, but failed. Carranza's secret service men would make their reports to the Mexican Government, and anything they reported that was of interest to us we would get it through official channels. Von Brandt was our agent in Nuevo Laredo; he was a saloon man. His son was one of the means of communication across the river. Also taxi driver.

Gens. Obregon, Pablo Gonzales, who has a German wife, Murguia, Elias Calles, Serano, Gen. Garza, of Mexico City, were all strong pro-German. Everbush said he also paid Pelaez. The Mexican consul at Laredo was very kind to me and in 1917 viséed my passport. I did not have a picture but he passed me. He knew I was a German secret service agent. He asked my name and I told him, and he at once said all right.

The German Government through Spain had Mexico to be neutral, for the purpose of having that as a refuge for the German secret service, etc. We thought the United States might force an issue with Mexico; hence we sent our agents to Tampico to keep peace as far as possible between the Mexicans and the oil people.

We received our notices and news from Germany through Laredo, Tex., and El Paso principally and by wireless in Mexico City in the Chapultepec Park. At first it was not strong enough and the Mexican Government put it up higher. We received our

news over the wireless in code. We could not send messages, but could receive which were relayed.

It is against the law in Mexico for a foreigner to send code messages. All I had to do was to tell nearly any Carranza general who I was and my business, and he would at once allow me to send code messages especially enumerated above.

Gov. Cantu is anti-Carranzista and pro-American. Prior to the United States's entry into the war it was Germany's wish for Mexico and the United States to get into war so as to keep the United States occupied here and not have opportunity to consider European matters. My understanding was that Mexico was to harass the United States border prior to the war with Germany so she would not enter the war against Germany. Carranza soldiers would raid on the border under the guise of other parties. Mauro Mendez, minister of telegraph, was under pay from the German Government. His pay was paid through Carranza, who was repaid by the German citizens of Mexico.

Carranza was pro-German because he thought it the salvation for his country. To keep himself in favor had to be anti-American, for the Mexican people are anti-American.

SAN ANTONIO, *December 3, 1919.*

ACCOUNT OF THE ROWE KIDNAPING AS TOLD BY HIMSELF.

About a month ago some seven rebels entered the mining camp. There were about 100 men employed around the camp. A man had been placed on a near-by hill to warn of the approach of rebels; he failed to warn of the approach of this same bunch of seven. When the bunch arrived at the mine, a Frenchman started to run from the office to his room: he was shot in the stomach, later he was killed. The Englishman Rowe was carried away. That night a man came and said he would be released for 2,000 pesos. The money was sent out, but for various reasons the delivery could not be made. Soldiers were near by, so the money was returned: a later effort of this nature failed. A few days after they kidnaped Rowe they went into a small village and carried off a girl, the captain took her: a few days later the second in command thought he should have the girl: he killed his superior and took the girl. Some days later another of the party, a friend of the captain, killed the second who had been in command originally: this killer took the girl for himself. Later another of the bunch, a friend of the first killer, killed the last one who got the girl: this killer run away, thus leaving only three in the bunch. During all the time they were or had been skipping from pillar to post, dodging around, always guarding Rowe. Some three weeks after he had been taken the bunch deliberately hanging him to a tree in order not to be bothered with him any more. He prevailed upon them to allow him his liberty and he would send them 1,000 pesos. They cursed him out, but eventually accepted the proposition: they carried him to a near-by village and allowed him to go. He had to rest a week in the village: he was in a very bad shape: eventually he arrived at Fresnillo and gave this account of his experiences. He means to send the thousand pesos, as next "gringo" they caught they might not take his word. Just as the vice-consul in Zacatecas heard of the matter, he complained: many soldiers were sent out, but they had no part in the "rescue" as reported by the press.

Fresnillo is a small place, 40 miles north of the city of Zacatecas. The mining camp herein mentioned is 6 miles from Fresnillo.

LIST OF AMERICANS KILLED IN MEXICO, NOT IN MURDER MAP.

Darrow Berris, Nuevo Buena, 1913.
De Fabir, C. G., Cerecruz, soldier.
Bruce, Bruce, Ner Guerrero, 1916.
Echold, ———, Temosachic, 1914.
Earnest Howell.
Goodman, child, Acapulco, 1911.
Goodman, child, Acapulco.
Goodman, child, Acapulco.
Jones, Harry J., Texas, 1915, soldier.
Johnson, Guy, Chihuahua, 1916.
Keane, Peter, 1916.
Martinez, Luciano, Tampico district, 1913.
Martinetto, A., Cumpas, 1915.
Miller, Chas. De Witt, Columbus.

Morris, J. L., Cumbre Tunnell.
 Patrick, Glennon, Alamo, Lower California, 1911.
 Pearson, George F., Western Chihuahua, 1916.
 Pelham, Oscar, Santa Gertrudis Mine, Pachuca, 1911.
 Price, Scott, Mexico, 1912.
 Riche, A. C., Columbus.
 Snell, Benjamin, Ner Minaca, 1916.
 Stell, Dr. A. T., Near Guerrero, 1916.
 Stevens, William J., Pacheco, 1912.
 Smith, Barron, Mexico City, 1915.
 Wolf, U. G., Sonora, 1913.
 Taylor, S. E., 1915.
 Thomas, Robert.

[Confidential.]

[Thirty-sixth Congress, first session. Executive, No. 98.]

TRANSIT AND COMMERCE WITH MEXICO.

MESSAGE OF THE PRESIDENT OF THE UNITED STATES TRANSMITTING A TREATY OF TRANSITS AND COMMERCE BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC; ALSO A CONVENTION TO ENFORCE TREATY STIPULATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC, BOTH SIGNED AT VERA CRUZ ON THE 14TH DAY OF DECEMBER, 1859.

January 4, 1860. Read, and, on motion by Mr. ———, referred, together with the treaties and accompanying documents, to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

March 6, 1914. Injunction of secrecy removed, and ordered printed for the use of the Senate.

To the Senate of the United States:

I transmit to the Senate for consideration, with a view to ratification, a "treaty of transits and commerce between the United States of America and the Mexican republic;" and also a "convention to enforce treaty stipulations" between the same parties, both of which were signed by the plenipotentiaries of the respective governments, at Vera Cruz, on the 14th December ultimo.

I also transmit a copy of a despatch of the minister of the United States accredited to the Mexican government to the Secretary of State relative to these instruments.

JAMES BUCHANAN.

WASHINGTON, January 4, 1860.

Mr. McLane to Mr. Cass.

No. 56.]

UNITED STATES LEGATION,
 Vera Cruz, December 14, 1859.

SIR: I have the satisfaction to forward herewith a treaty concluded with the government of Mexico, by which it will be perceived that my negotiation for transits and rights of way across the Isthmus of Tehuantepec, and from the Rio Grande and Arizona to the Gulf of California, is successfully closed, and that this government consents to all the stipulations deemed important by the President to insure the safety of the same.

I have also concluded and forward herewith a convention with the government of Mexico to enforce treaty stipulations, and to maintain order in the territory of the republics of Mexico and the United States, by which it will be perceived that, while the independence of Mexico is in no degree compromised, the United States acquires the right to intervene in support of its own treaty rights and the security of its own citizens whenever Mexico may be unable to guaranty the same, without incurring the obligation or necessity of a general intervention in the domestic affairs of that country.

The treaty of transits and commerce is based upon the resolutions or project of Mr. Ocampo, submitted to me with his letter of the 9th July, 1859, a copy of which was transmitted to you as exhibit A of my despatch No. 23. The articles of this project

have been modified in pursuance of your instructions communicated in your No. 10, which modifications were refused by Mr. Fuente in his note of August 30, a copy of which was transmitted to you as exhibit A of my despatch No. 33, and again on the 24th November, in a personal conference with me, after which he retired from the government, President Juarez having decided that it was his duty to conclude the negotiation on the basis of your instructions already noted. Mr. Ocampo then having resumed the post of Minister of Foreign Affairs, I held several conferences with him, in which I advised him that I had no desire to press the views of my government further, and that I should not resume the negotiation unless the views of the President in relation to the protection of the transits were promptly and fully conceded. In reply to which he informed me that he had received instructions to accept the proposition I made to Mr. Fuente in August, to wit: that the article in the treaty with the republic of Nicaragua relating to the protection necessary and proper to insure the safety of the transits should be adopted as a satisfactory solution of the question.

I accepted this concession, and proceeded with the examination of the other articles of his project, all of which were modified to meet the views of the government of the United States, except in relation to the limitation proposed by me on the dividends that might be made by companies possessing the privileges of transit. In the exercise of the discretion confided to me I did not press this proposition, as Mr. Ocampo manifested unusual sensibility in reference to it, and persisted in his opinion that such a limitation ought not to be enforced upon companies that invested capital in Mexico, where the value of money was so much greater than in the United States or in Europe; but I deemed it expedient to extend and enlarge the demand I had made concerning the commercial privileges to be enjoyed at the termination of the transits. With this view I proposed that a list of articles should be agreed upon, being the growth, product or manufacture of the two republics, and that the Congress of the United States should select from the list at its discretion which articles could be imported into either republic at these transits on terms of perfect reciprocity, whether free or at a fixed rate of duty. In this list I embraced everything that was included in the project of a reciprocity treaty formerly negotiated between Mexico and the United States, with some additional articles of considerable importance, especially all grains and breadstuffs, and manufactures of cotton and leather.

I consider this arrangement, when taken in connection with the warehousing regulations provided for in the original project, to be of great importance, not only to the frontier population between Mexico and the United States, but to the general commercial interests of both republics, more particularly to the agricultural interest of the west, and the manufacturers of cotton and leather, whether in the west or east; and as it is embodied in the treaty of transits and commerce, the original project of which has already received the sanction of the President, I indulge the hope that he will find in it an additional reason for receiving with satisfaction the result of my negotiation.

This treaty of transits and commerce, as concluded, cedes to the United States in perpetuity the right of way across the Isthmus of Tehuantepec and from the Rio Grande and Arizona to the Gulf of California, with free passage of goods, merchandise, and mails, troops and munitions of war. Warehouses are to be erected at the termini of the transits, and regulations established for storage of goods for sale in Mexico or for reshipment, and transit free of duty, with a schedule of articles to be imported into either republic on terms of a perfect reciprocity. Power is conceded to the Government of the United States to use its military force to insure the safety of these transits and that of its citizens who may enjoy the same. These provisions, with the stipulation exempting them from forced loans and guaranteeing religious freedom and worship in chapels or private houses, will give to the citizens of the United States in Mexico great advantages, and on the line of the transits as well as on the inland frontier contribute to the welfare and general prosperity of both republics.

The amount of four millions is stipulated as the sum to be paid to Mexico in compensation for its loss of revenue for the free passage of goods through its territory between our Atlantic and Pacific States or destined for consumption in Arizona, and in consideration of the concessions embraced in the other stipulations of the treaty. Two millions of this amount are reserved for the satisfaction of claims of citizens of the United States against the government of Mexico.

I have commented upon all these stipulations in former despatches, and expressed to you the opinion I entertain of their value; it is not necessary, therefore, that I should extend my observations in this despatch, my purpose being simply to recapitulate the stipulations embraced in the treaty as it has been concluded by me.

In reference to the convention to enforce treaty stipulations and to maintain order in the territory of either republic, I have little to add to what I have repeatedly

brought to your attention in connection with the inability of any government that may exist in Mexico as a central government to perform properly its functions as a supreme government, and in discussing Mr. Ocampo's project of a treaty of alliance between Mexico and the United States. I do not doubt now, and I have never doubted, the ability of the constitutional government to sustain itself against the church and military government that has possession of the capital, but I cannot foresee when or how the struggle between them will terminate; and until such a termination is reached citizens of the United States will be exposed to danger, and treaty stipulations will be violated. Under these circumstances, although I have on all occasions represented to the constitutional government that I was instructed to adhere to the fixed policy of the United States and avoid all intervention with the domestic administration of Mexico, yet I have steadily insisted that it was the recognized duty of the government of the United States to intervene and interfere whenever its own security, or what was due to itself in the abstract, or in virtue of treaty stipulations, required such intervention, as also to protect and defend the lives and property of citizens of the United States within the territory of Mexico.

Keeping this general principle in view, and pursuing the spirit of your instructions on this point, I have endeavored to come to such an understanding with the constitutional government as would permit such an intervention with the least possible disturbance of the friendly relations that ought to be maintained between the two republics, and without any real departure from the policy of the United States in this connection.

It has been with much difficulty that I induced the constitutional government to recognize its obligation to seek the aid of the government of the United States when it was unable to perform with effect its proper functions as a government; and it was only when I represented that sooner or later the government of the United States would act without reference to it or any other government or authority, in defence of its treaty rights and to protect its citizens, that I was able to come to any conclusion satisfactory to myself on this point.

The principle of mutuality or reciprocity that prevails in the convention I have concluded and now submit for the consideration of the President seems due to the self-respect of the government of Mexico, and was justified practically by recent events on the Rio Grande frontier; and I adopted it willingly, and with confidence that it gave greater strength to the convention than if I had only contemplated the contingency that the weakness of the Mexican government rendered such intervention necessary.

I am aware that I have acted very much on my own discretion and responsibility in concluding this convention, though I have endeavored to follow the spirit of your instructions; and I am persuaded that if the government of the United States declines the responsibility imposed upon it by the adoption and ratification of this convention, further anarchy will prevail in Mexico, until it will be terminated by direct intervention from some other quarter in the federal politics of Mexico, or by an intervention of our own, caused by some sudden and unforeseen provocation that will expose us to the responsibilities of a general war, and a conquest that few would desire to undertake or consummate.

I beg to call your attention to my despatch, No. 5, in connection with the value of the transit from Guaymas to Arizona, and to my despatches Nos. 8, 10, 17, and 22, in reference to the Tacubaya assassinations, and the demand addressed to the Miramon government for redress, and also to my No. 54, referring to the assassination of Ormond Chase; and in this connection I invite your particular attention to the necessity of adopting some measure in concert with the constitutional government, or independent thereof, to enforce these demands. All the facts connected with these transactions urge strongly the adoption of the convention herewith transmitted.

Very respectfully, your obedient servant,

ROBERT M. McLANE.

Hon. LEWIS CASS,
Secretary of State, Washington City.

[Confidential.]

[Thirty-sixth Congress, first session. Executive, No. 98.]

TREATY OF TRANSITS AND COMMERCE BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC, DATED AT VERA CRUZ, DECEMBER 14, 1859.

January 4, 1860. Read, and, on motion by Mr. ———, referred, together with the treaties and accompanying documents, to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

March 6, 1914. Injunction of secrecy removed, and ordered printed for the use of the Senate.

Whereas the ratifications of a treaty of amity, commerce, and navigation were exchanged between the United States of America and the United Mexican States on the fifth of April, one thousand eight hundred and thirty-one; and whereas the ratifications of a treaty for the alteration of boundary and the regulation of a transit or right of way across the Isthmus of Tehuantepec were exchanged between the same two republics on the thirtieth of June, one thousand eight hundred and fifty-four; and whereas, it is deemed expedient to amplify and extend some of the stipulations of the aforesaid treaties, and thus render more firm and inviolable the true and sincere friendship now existing between the United States and Mexico:

Wherefore the following stipulations have been agreed upon by means of a treaty of transits and commerce.

For which important object the President of the United States of America has appointed Robert M. McLane, a citizen of the United States, and envoy extraordinary and minister plenipotentiary of the United States of America near the Mexican government, with full powers; and the President of the Mexican republic, in the exercise of the executive power, having conferred like full powers on the citizen Melchor Ocampo, Secretary of State and Foreign Affairs; and the aforesaid plenipotentiaries, after having compared and exchanged in due form their respective powers as aforesaid, have agreed upon the following articles:

ARTICLE I.

As an amplification of the eighth article of the treaty of the thirtieth of December, one thousand eight hundred and fifty-three, the Mexican republic cedes to the United States and its citizens and property, in perpetuity, the right of way, by the Isthmus of Tehuantepec, from one ocean to the other, by any kind of road now existing, or that may hereafter exist, both republics and their citizens enjoying it.

Considerando que las ratificaciones de un tratado de amistad, comercio, y navegación fueron canjeadas entre los Estados Unidos dos Méjicanos y los Estados Unidos de América á los cinco días de Abril, del año de mil ochocientos treinta y uno, y por cuanto que las ratificaciones de un tratado para la alteración de los linderos y los reglamentos de un tránsito ó derecho de vía al través del Istmo de Tehuantepec fueron canjeadas entre las mismas dos repúblicas, á los treinta días de Junio del año de mil ochocientos cincuenta y cuatro; y por cuanto se juzga conveniente amplificar y estender algunas de las estipulaciones de los antedichos tratados, y de esta manera volver mas sólida e inviolable la verdadera y sincera amistad que ahora existe entre Méjico y los Estados Unidos.

Por lo tanto las estipulaciones siguientes han sido convenidas por medio de un tratado de transitos y comercio.

Para cuyo importante objeto el Presidente de la república Méjicana, en el ejercicio del poder ejecutivo ha conferido plenos poderes al ciudadano Melchor Ocampo, Secretario de Estado y del Despacho de Relaciones Exteriores y el Presidente de los Estados Unidos de América al ciudadano Roberto M. McLane, enviado extraordinario y ministro plenipotenciario de los Estados Unidos de América cerca del gobierno Méjicano; y los susodichos plenipotenciarios despues de haber comprobado y cambiado sus respectivos plenos poderes, han convenido en los artículos siguientes:

ARTICULO I.

Como amplification del artículo 8 del tratado de 30 de Diciembre, de 1853, la república Méjicana cede á los Estados Unidos en perpetuidad, y á sus ciudadanos y propiedades el derecho de vía por el Istmo de Tehuantepec, des de un oceano hasta el otro por cualquiera clase de camino que exista hoy ó existir á en lo de adelante, gozando de ello ambas republicas y sus ciudadanos.

ARTICLE II.

Both republics agree to protect all routes now existing, or that shall hereafter exist, over the said isthmus, and to guaranty the neutrality of the same.

ARTICULO II.

Ambas republicas convienen en proteger todos los caminos que existen hoy ó existan en lo de adelante y en garantizar la neutralidad de los mismos.

ARTICLE III.

Simultaneous with the first bona fide use of any route across the said isthmus for purposes of actual transit, the republic of Mexico shall establish two ports of deposit—the one on the east, the other on the west of the isthmus. No duty shall be levied by the government of Mexico upon foreign effects and merchandise which may pass bona fide by the said isthmus, and which may not be intended for the consumption of the Mexican republic. No incumbrance or tolls shall be imposed upon foreign persons and property which may pass by this road beyond those that may be imposed upon the persons and property of Mexicans. The republic of Mexico will continue to allow the free and untrammelled transit of the mails of the United States, provided they pass in closed mail bags, and they be not for distribution on the road. Upon such mails none of the charges imposed, nor of those which may hereafter be imposed, shall be applied in any case.

ARTICULO III.

Simultaneamente con el primer uso bona fide de cualquiera ruta por medio de dicho istmo, con motivos del tránsito efectivo del mismo, la república de Méjico, establecerá dos puertos de depósito, el uno al este, y el otro al oeste del istmo. Ningun derecho se recandará por el gobierno de Méjico sobre los efectos y mercancías extranjeras que pasen bona fide por dicho istmo, y que no sean destinados para el consumo de la república Méjicana. Ningun gravamen ó derechos de portazgo se impondrá á las personas y propiedades extranjeros, que pasen por este camino, mas de los que se impongan á los personas y propiedades Méjicanas. La república de Méjico continuará permitiendo el franco y libre tránsito de las balijas de correo de los Estados Unidos, siempre que pasen sacos cerrados y que no sean para repartirse en el camino. Sobre tales balijas ningunos de los gravámenes impuestos ni de los que los en sucesivo se aplicarán en ningun caso.

ARTICLE IV.

The Mexican republic agrees that it will establish for each of the two ports of deposit—the one on the east, the other on the west of the isthmus—regulations that will permit the effects and merchandise belonging to citizens or subjects of the United States or of any foreign country to be entered and stored in warehouses, which shall be erected for that purpose, free of all tonnage or other duties whatever, except the necessary charges for cartage and storage, which said effects and merchandise may be subsequently withdrawn for transit across the said isthmus, and for shipment from either of the said ports of deposit to any foreign port, free of all tonnage or other duties whatever; and they may likewise be withdrawn from the said warehouses for sale and consumption, within the territory of the Mexican republic, on the payment of such duties or imposts as the said Mexican government may be pleased to enact.

ARTICULO IV.

La república Méjicana conviene en establecer, para cada uno de los dos puertos de depósito, el uno al este, y el otro al oeste del istmo, los reglamentos que permitan la entrada y el almacenaje de los efectos y mercancías pertenecientes á los ciudadanos ó á los súbditos de los Estados Unidos ó de cualquier país extranjero, libres de todo gravamen de tonelada ú otro derecho cualquiera, con escepcion de los gartos necesarios para el acarreo y almacenaje de dichos efectos, para los cuales se construirán almacenes propios; los dichos efectos y mercancías pod ranser sacados del depósito para el tránsito de dicho istmo, asi como para embarcarlos desde cualquiera de los dos puertos de depósito, con destino á cualquier puerto del extranjero que dando siempre libres de todo derecho de tonelada ú otro impuesto cualquiera; igualmente podran ser sacados de dichos almacenes para ser vendidos y consumidos dentro del territorio de la república Méjicana, previo el pago de derechosé impuestos que tenga por bien decretar el dicho gobierno Méjicano.

ARTICLE V.

The republic of Mexico agrees that should it become necessary at any time to employ military forces for the security and protection of persons and property passing over any of the routes aforesaid, it will employ the requisite force for that purpose; but upon the failure to do this, from any cause whatever, the government of the United States may, with the consent or at the request of the government of Mexico, or of the minister thereof at Washington, or of the competent legally appointed local authorities, civil or military, employ such force for this and for no other purpose; and when in the opinion of the government of Mexico, the necessity ceases, such force shall be immediately withdrawn.

In the exceptional case, however, of unforeseen or imminent danger to the lives or property of citizens of the United States, the forces of said republic are authorized to act for their protection without such consent having been previously obtained; and such forces shall be withdrawn when the necessity for this employment ceases.

ARTICLE VI.

The Mexican republic grants to the United States the simple transit of its troops, military stores, and munitions of war, by the Isthmus of Tehuantepec, and by the transit or route of communication referred to in this convention from the city of Guaymas, on the Gulf of California, to the Rancho de Nogales, or some suitable point on the boundary line between the republic of Mexico and the United States near the one hundred and eleventh degree west longitude from Greenwich, immediate notice thereof being given to the local authorities of the republic of Mexico. And the two republics agree, likewise, that it shall be an express stipulation with the companies or enterprises to whom hereafter the carriage or transportation is granted, by any railroads or other means of communication, on the aforesaid transits, that the price for conveying the troops, military stores, and munitions of war of the two republics shall be, at most, one-half the ordinary fare paid by the passengers or merchandise which may pass over the said transits; it being understood that if the grantees of privileges already granted, or which hereafter may be granted, upon railroads or other means of conveyance over said transits, refuse to receive for one-half the price of conveyance the troops, arms, military stores, and munitions of the United States, the latter government will not impart to them the protection spoken of in articles second and fifth, nor any other protection.

ARTICULO V.

La república de Méjico conviene en que si fuere necesario, en cualquier tiempo el emplear fuerzas militares para la seguridad y proteccion de los personas y propiedades que transiten por cualesquiera de las rutas antedichas, ella empleará la fuerza necesaria con este fin; pero en caso de omision en hacerlo por cualquier motivo que fuere, el gobierno de los Estados Unidos, podrá con el consentimiento, ó á 'pedimento del gobierno de Méjico, ó al de su ministro en Washington, ó al de las autoridades locales competentes y legalmente nombradas, sean civiles ó militares, emplear tal fuerza para este efecto y no para ningun otro; y cuando en el juicio del gobierno de Méjico cese esa necesidad, la tal fuerza se retirará inmediatamente.

En el caso escepcional sin embargo de un peligro imprevisto ó inminente para las vidas ó propiedades de los ciudadanos de los Estados Unidos, las fuerzas de dicha república tendrán facultad de obrar para la proteccion de ellos, sin que dicho previo consentimiento haya sido obtenido, y tales fuerzas se retirarán cuando concluya la necesidad para su empleo.

ARTICULO VI.

La república Méjicana concede á los Estados Unidos el simple tránsito de sus tropas pertrechos y municiones de guerra por el Istmo de Tehuantepec, y por el tránsito ó ruta de comunicacion de que se habla en este convenio, desde la ciudad de Guaymas sobre el Golfo de California, hasta el Rancho de Nogales, ú otro punto conveniente sobre la frontera entre la república de Méjico y los Estados Unidos, cerca del grado 111° de longitud oeste de Greenwich dándose aviso de ello á las autoridades locales de la república de Méjico. Y las dos repúblicas convienen igualmente en que será estipulacion espresa con las compañías ó empresas á las que en lo sucesivo se conceda el acarreo y trasporte, por cualesquiera ferro-carriles ú otros medios de comunicacion, en los ante dichos transits, que el precio de conduccion de las tropas, pertrechos y municiones de guerra de las dos repúblicas será cuando mas la mitad del precio comun que paguen los pasajeros ó las mercancías que pasen sobre dichos transits; entendiéndose que si los concesionarios de privilegios ya acordados ó que en lo sucesivo se acordaren sobre ferro-carriles ú otros medios de conduccion en dichos transits rehusan recibir por mitad del precio de conduccion las tropas, armas, pertrechos y municiones de los Estados Unidos, este último gobierno no les impartirá la proteccion de que hablan los Artículos II y V, de este tratado, ni ninguna otra.

ARTICLE VII.

The Mexican republic hereby cedes to the United States in perpetuity, and to their citizens and property, the right of way or transit across the territory of the republic of Mexico, from the cities of Camargo and Matamoros, or any suitable point on the Rio Grande, in the State of Tamaulipas, via Monterey, to the port of Mazatlan, at the entrance of the Gulf of California, in the State of Sinaloa, and from the Rancho de Nogales, or any suitable point on the boundary line between the republic of Mexico and the United States, near the one hundred and eleventh degree west longitude from Greenwich, via Magdalena and Hermosillo, to the city of Guaymas, on the Gulf of California, in the State of Sonora, over any railroad or route of communication, natural or artificial, which may now or hereafter exist or be constructed, to be used and enjoyed in the same manner and upon equal terms by both republics and their respective citizens, the Mexican republic reserving always for itself the right of sovereignty which it now has upon all the transits spoken of in the present treaty. All the stipulations and regulations of every kind applicable to the right of way or transit across the Isthmus of Tehuantepec that are or have been agreed upon between the two republics, are hereby extended and applied to the foregoing transits or rights of way, excepting the right of passing troops, military stores, and munitions of war, from the Rio Grande to the Gulf of California.

ARTICLE VIII.

The two republics likewise agree that, from the list of merchandise here annexed, the Congress of the United States shall select those which, being the natural, industrial, or manufactured product of either of the two republics, may be admitted for sale and consumption in either of the two countries, under conditions of a perfect reciprocity, whether they be considered free of duty, or at a rate of duty to be fixed by the Congress of the United States; it being the intention of the Mexican republic to admit the articles in question at the lowest rate of duty, and even free if the Congress of the United States consents thereto. Their introduction from one to the other republic shall be made at the points which the governments of both republics may fix upon, at the limits or boundaries thereof ceded and granted

ARTICULO VII.

La república Méjicana por este artículo cede á los Estados Unidos en perpetuidad y á sus ciudadanos y propiedades, el derecho de via ó tránsito por el territorio de la república Méjicana, desde las ciudades de Camargo y Matamoros ú otro punto conveniente del Rio Grande en el Estado de Tamaulipas, por via de Monterey, hasta el puerto de Mazatlan, á la entrada del Golfo de California, Estado de Sinaloa; y des de el Rancho de Nogales, ú otro punto conveniente sito en las fronteras entre la república de Méjico y los Estados Unidos, cerca al 111° grado de longitud oeste de Greenwich, por via de Magdalena y Hermosillo hasta la ciudad de Guaymas sita en el Golfo de California, Estado de Sonora, por cualquier ferrocarril ó via de comunicacion, natural ó artificial, que por ahora ó en lo venidero existiere ó que se que se construyere para el uso y goce mutuo, y bajo las mismas condiciones, de ambas repúblicas y sus respectivos ciudadanos. reservándose siempre para si la república Méjicana el derecho de soberania que hoy tiene sobre todos los tránsitos de que habla el presente tratado. Todas las estipulaciones y reglamentos de cualquiera clase aplicables al derecho de via ó tránsito por el Istmo de Tehuantepec, y sobre los cuales estan de acuerdo y se han convenido entre las dos repúblicas, por este artículo se estienden y se aplicana á los antedichos tránsitos ó derechos de via, á escepcion del derecho de pasar tropas, pertrechos y municiones de guerra, desde el Rio Grande hasta el Golfo de California.

ARTICULO VIII.

Conviene igualmente ambas repúblicas, en que, de la liste de mercancías aqui adjunta, elija el Congreso de los Estados Unidos las que, siendo producto natural, industrial ó manufacturado de cualquiera de las dos repúblicas sean admitidas para su venta y consumo en cualquiera de los dos países, bajo condiciones de una reciprocidad perfecta, sea que se les considere libres de derechos, ó con tal cuota como sea fijada por el Congreso de los Estados Unidos, puesto que la intencion de la república Méjicana es admitir los artículos de que se trata á los mas bajos derechos, y aun libres, si el Congreso de los Estados Unidos consintiere en ello. Su introduccion de una á otra república se hará por los puntos que los gobiernos de ambas repúblicas determinen en los limites ó términos de ellas, cedidos y concedidos para los tránsitos y enperpetuidad por este con-

for the transits, and in perpetuity, by this convention, either across the Isthmus of Tehuantepec or from the Gulf of California to the interior frontier between Mexico and the United States. If any similar privileges should be granted by Mexico to other nations at the termini of the aforesaid transits upon the Gulfs of Mexico and California, and upon the Pacific ocean, it shall be in consideration of the same conditions and stipulations of reciprocity which are imposed upon the United States by the terms of this convention.

Schedule annexed to article VIII.

Animals of all kinds.
Plows and loose iron bars.
Rice.
Poultry and fresh eggs.
Quicksilver.
Stone coal.
Fresh, salted, and smoked meats.
Wood and iron houses.
Raw hides.
Horns.
Chile or red pepper.
Drawings and models of large machinery, buildings, monuments, and boats.
Boats of all sizes and classes for the navigation of the rivers on the frontier.
Brooms and material for their manufacture.
Bridle bits.
Fresh, dried, and sugared fruits.
Type, spaces, plates for printing or engraving, rules, vignettes, and printing ink.
Printed books of all classes bound in paper, (pamphlet bound).
Hops.
Timber, unwrought, and firewood.
Butter and cheese.
Geographical and nautical maps and topographical plans.
Marble, wrought and unwrought.
Machines and implements for agriculture, farming, mining, for the development of the arts and sciences, and their fixtures, either loose or for their repair.
Dyewood.
Fish, tar, turpentine, and ashes.
Plants, trees, and shrubbery.
Slates for roofing purposes.
Common salt.
Riding saddles.
Palm-leaf hats.
Plaster of Paris (gypsum).
Vegetables.
Undressed sheepskins.
Grain of all kinds, and from which bread is made.
Flour.
Wool.
Lard.

venio, ya al traves del Istmo de Tehuantepec, ya desde el Golfo de California hasta la frontera interior entre Méjico y los Estados Unidos. Si algunos privilegios semejantes fueren concedidos por Méjico á otras naciones, en los términos de los ante dichos tránsitos sobre los Golfos de Méjico y California y el oceano Pacifico, será en consideracion de las mismas condiciones y estipulaciones de reciprocidad que son impuestas á los Estados Unidos por los términos de esta convencion.

Lista indicada en este artículo VIII.

Animales de todas clases.
Arados y rejas sueltas.
Arroz.
Aves y huevos frescos.
Azogue.
Carbon de piedra.
Carnes frescas, ahumadas y saladas.
Casas de madera y de fierro.
Cueros al pelo.
Cuernos.
Chile.
Diseños y modelos de bulto de máquinas, edificios, monumentos y embarcaciones.
Embarcaciones de todos tamaños y clases para navegar en los rios de la frontera.
Escobas y material para hacerlas.
Frenos.
Frutas, frescas, secas, y cubiertas.
Letra, escudos, espacios, plectas, viñetas, y tinta de imprenta.
Libros impresos de todas clases á la rústica.
Lúpulo.
Madera sin labrar y leña.
Mantecquilla y queso.
Mapas geográficos, náuticos y cartas topográficas.
Marmol labrado y en bruto.
Máquinas y aparatos para la agricultura, la industria, la minería, las artes y las ciencias, y sus partes sueltas ó piezas de refaccion.
Palo de tinte.
Pez, alquitran, trementina y cenizas.
Plantas, árboles, y arbustos.
Pizarra para techos.
Sal comun.
Sillas de enontar.
Sombreros de palma.
Yeso.
Vegetales.
Talcas.
Granos de toda especie que sirvan para hacer pan.
Harina.
Lana.
Manteca.
Sebo.

Tallow.

Leather, and manufactures of leather.

Every species of textile or woven fabric of cotton, excepting that called brown sheeting (*mantatrigueña*.)

ARTICLE IX.

As an amplification of the fourteenth and fifteenth articles of the treaty of the fifth of April, one thousand eight hundred and thirty-one, in which that which relates to the exercise of their religion by the citizens of Mexico was stipulated, the citizens of the United States will be permitted to exercise freely in Mexico their religion, either in public or in private, within their houses or in the churches and places which may be assigned to worship, as a consequence of the perfect equality and reciprocity which the second article of the same treaty states was taken for its basis. The chapels or places for public worship may be purchased, and shall be held as the property of those who may purchase them, as any other common property is purchased or held, excepting therefrom, however, the religious communities and corporations to whom the present laws of Mexico have prohibited entirely and forever and a day the obtaining and holding anything whatever in propriety. In no case shall citizens of the United States residing in Mexico be subject to have forced loans levied upon them.

ARTICLE X.

In consideration of the foregoing stipulations, and in compensation for the revenue surrendered by Mexico on the goods and merchandise transported free of duty through the territory of that republic, the government of the United States agrees to pay to the government of Mexico the sum of four millions of dollars, of which two millions shall be paid immediately upon the exchange of the ratifications of this treaty, and the remaining two millions shall be retained by the government of the United States for the payment of the claims of citizens of the United States against the government of the republic of Mexico, for injuries already inflicted and which may be proven to be just, according to the law and usage of nations and the principles of equity; and the same shall be paid *pro rata*, as far as the said sum of two millions will permit, in pursuance of a law to be enacted by the Congress of the United States for the adjudication thereof, and the remainder of this sum shall be returned to Mexico by the United States, in case there be any such remainder after the payment of the claims thus found to be just.

Cuero y manufacturas de cuero.

Toda especie de tegidos de algodón, exceptuando el llamado mantatrigueña.

ARTICULO IX.

Como amplificación de los artículos 14º y 15º del tratado de 5 de Abril, de 1831, en que se estipuló lo relativo al ejercicio de la religion para los ciudadanos de la república de Méjico, se permitirá á los ciudadanos de los Estados Unidos que ejerzan libremente en Méjico su religion en público ó en privado dentro de sus casas ó en los templos y lugares que se destinen al culto, como consecuencia de la perfecta igualdad y reciprocidad que el Artículo II, del mismo tratado dice que se tomaba por base de él. Las capillas ó lugares para el culto divino podrán ser comprados y serán poseídos como propiedad de quienes los compren como se compra y posee cualquiera otra propiedad comun, exceptuándose sin embargo á las comunidades ó corporaciones religiosas á las que las actuales leyes de Méjico han prohibido del todo y para siempre obtener y conservar nada en propiedad. En ningun caso que darán los ciudadanos de los Estados Unidos sujetos á que se les cobre préstamos forzosos..

ARTICULO X.

En consideracion de las anteriores estipulaciones, y en compensacion de las rentas á las cuales renuncia Méjico sobre los efectos y mercancías transportadas libres de derecho por el territorio de dicha república, el gobierno de los Estados Unidos conviene pagar al gobierno de Méjico la suma de cuatro millones de pesos, de los cuales, dos millones se pagarán luego que se verifique el cange de las ratificaciones de este tratado, y los dos millones restantes serán reservados por el gobierno de los Estados Unidos en pago de las reclamaciones de los ciudadanos de los Estados Unidos contra el gobierno de la república de Méjico, por perjuicios que se les hayan causado, y que sea probado que son justas conforme á la ley y uso de las naciones y á los principios de la equidad: las cuales serán adjudicadas y pagadas *pro rata* hasta donde alcance la dicha suma de los dos millones, de conformidad con una ley que será decretada por el Congreso de los Estados Unidos para la adjudicacion de esas mismas reclamaciones, y devuelta á Méjico la parte que sobre en el caso de que pagadas las reclamaciones justas quede algun sobrante.

ARTICLE XI.

ARTICULO XI.

This treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate of the United States, and by the President of Mexico, in virtue of his extraordinary and actual executive functions, and the respective ratifications shall be exchanged at the city of Washington, within the exact period six months from the date of its signature, or sooner if possible, or at the seat of the constitutional government, if any alterations or amendments be proposed by the President and Senate of the United States, and accepted by the President of the republic of Mexico.

In testimony whereof, we, the plenipotentiaries of the contracting parties, have hereunto affixed our hands and seals, at Vera Cruz, the fourteenth day of December, in the year of our Lord one thousand eight hundred and fifty-nine, in the thirty-ninth year of the independence of the Mexican republic, and the eighty-fourth of that of the United States.

ROBT. M. McLANE. [L. S.]
M. OCAMPO. [L. S.]

Este tratado será ratificado por el Presidente de Méjico en virtud de sus funciones ejecutivas extraordinarias actuales, y por el Presidente de los Estados Unidos de America, con la anuencia y consentimiento del Senado de los Estados Unidos, y las ratificaciones respectivas cangeadas en la ciudad de Washington, ó en la residencia del gobierno constitucional si se propusieren algunas alteraciones ó enmiendas por el Presidente y el Senado de los Estados Unidos, y se aceptáren por el Presidente de la república de Méjico, en el preciso término de seis meses contados desde el día en que se firme ó antes si fuere posible.

En fé de lo cual, nosotros, lo plenipotenciarios de las partes contratantes, lo hemos firmado y sellado en Vera Cruz el día catorce de Diciembre del año del Señor mil ochocientos cincuenta y nueve, trigésimo noveno de la independencia de la república Méjicana y octogésimo cuatro de la de los Estados Unidos.

M. OCAMPO. [L. S.]
ROBT. M. McLANE. [L. S.]

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC, DATED AT VERA CRUZ, DECEMBER 14, 1859.

Convention to enforce treaty stipulations and to maintain order and security in the territory of the republics of Mexico and the United States.

Whereas, in consequence of the existing civil war in Mexico, and particularly in view of the disturbed condition of the inland frontier of Mexico and the United States, occasion may arise when the forces of the two republic may find it necessary to act in concert and coöperation to enforce treaty stipulations and to maintain order and security in the territory of either republic; wherefore the following convention has been agreed upon:

ARTICLE I.

If any of the stipulations of existing treaties between Mexico and the United States are violated, or the safety and security of the citizens of either republic are endangered within the territory of the other, and the legitimate and acknowledged government thereof may be unable from any cause, to enforce such stipulations or to provide for such safety and security, it shall be obligatory on that government to seek the aid of the other in maintaining their due execution, as

Convencion para ejecutar las estipulaciones de los tratados y conservar el orden y la seguridad en el territorio de los repúblicas de Méjico y de los Estados Unidos.

Considerando que por resulta de la guerra civil que existe en Méjico, y en vista particularmente del estado desordenado de la frontera del interior entre Méjico y los Estados Unidos, puedan suscitarse ocasiones en que las fuerzas de ambas repúblicas se vean necesitadas de obrar de acuerdo y en coöperacion para ejecutar las estipulaciones de los tratados y para conservar el orden y la seguridad en el territorio de cualquiera de las dos repúblicas, por cuyo motivo se ha convenido en la siguiente convencion:

ARTICULO I.

Si cualesquiera de las estipulaciones de los tratados vigentes entre Méjico y los Estados Unidos fueren violadas, ó el resguardo y seguridad de los ciudadanos de cualquiera de las dos repúblicas fueren arriesgados dentro del territorio de la otra, y que el gobierno legítimo y reconocido de ella no pueda, por cualquier motivo, ejecutar tales estipulaciones ó prevenir tal resguardo y seguridad, será obligacion de aquel gobierno solicitar el socorro del otro para mantener la debida ejecucion

well as order and security in the territory of that republic, where such violation and discord occur; and in every such special case the expenses shall be paid by the treasury of the nation within whose territory such intervention may become necessary; and if disorder shall occur on the frontier of the two republics, the authorities of the two republics nearest to the place where the disorder exists shall act in concert and coöperation for the arrest and punishment of the criminals who have disturbed the public order and security of either republic, and for this purpose the parties guilty of these offences may be arrested within either republic and delivered over to the authorities of that republic within which the crime may have been committed; the nature and character of such intervention, as well as the expense thereof, and the manner of arresting and subjecting to punishment the said criminals shall be determined and regulated by an agreement between the executive branches of the two governments.

ARTICLE II.

This convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate of the United States, and by the President of Mexico, in virtue of his extraordinary and actual executive functions, and the respective ratifications shall be exchanged at the city of Washington within the exact period of six months from the date of its signature, or sooner if possible, or at the seat of the constitutional government if any alterations or amendments be proposed by the President and Senate of the United States, and accepted by the President of the republic of Mexico.

In testimony whereof, we, the plenipotentiaries of the contracting parties, have hereunto affixed our hands and seals, at Vera Cruz, the fourteenth day of December, in the year of our Lord one thousand eight hundred and fifty-nine, in the thirty-ninth year of the independence of the Mexican republic and the eighty-fourth of that of the United States.

ROBT. M. McLANE. [L. S.]
M. OCAMPO. [L. S.]

de ellas, y tambien el orden y la seguridad en el territorio de aquella república en donde tal violacion y desorden sucedan; y en cada caso especial semejante, los gastos serán pagados por el Tesoro de la nacion dentro de cuyo territorio semejante, intervencion se haga necesaria; y si el desorden sucediere sobre la frontera d las dos repúblicas, las autoridades de ambas repúblicas mas inmediatas al lugar adonde el desorden ocista, obrarán de acuerdo y en coöperacion para el arresto y castigo de los criminales que han interrumpido la tranquilidad y seguridad pública de cualquiera de las dos repúblicas, y con este fin los reos de estas faltas podrán ser arrestados dentro cualquiera de las dos repúblicas, y entregados á las autoridades de aquella república dentro de la cual el crimen haya sido cometido; el genero y el carácter de tal intervencion como tambien los gastos de la misma, y la manera de prender y someter al castigo los dichos criminales, serán determinados y arreglados por un convenio entre los rames ejecutivos de los dos gobiernos.

ARTICULO II.

Esta convencion será ratificada por el presidente de Méjico en virtud de sus funciones ejecutivas extraordinarias actuales, y por el Presidente de los Estados Unidos de America con la anuencia y consentimiento del Senado de los Estados Unidos, y las ratificaciones respectivas cangeadas en la ciudad de Washington, ó en la residencia del gobierno constitucional si se propusiere algunas alteraciones ó enmiendas por el Presidente y el Senado de los Estados Unidos y se aceptaren por el Presidente de la república de Méjico, en el preciso término de seis meses contados desde el dia en que selfirme ó antes si fuere posible.

En íe de lo cual, nosotros, los plenipotenciarios, lo hemos firmado y sellado en Vera Cruz el dia catorce de Diciembre del año del señor mil ochocientos cincuenta y nueve, trigésimo noveno de la independencia de la república Méjicana y octogésimo cuarto de la de los Estados Unidos.

M. OCAMPO. [L. S.]
ROBT. M. McLANE. [L. S.]

[Confidential.]

[36th Congress, Ex. Session. Executive.]

TREATY WITH MEXICO.

AMENDMENT TO BE PROPOSED BY MR. SIMMONS.

June 26, 1860,

On motion by Mr. Mason,

Ordered, That it be printed in confidence for the use of the Senate.

March 6, 1914. Injunction of secrecy removed and ordered printed for the use of the Senate.

In article eight, strike out all after the word "agree" in line one, and insert the following:

—that from the "two lists" of merchandise here annexed, the Congress of the United States may select those which, being the natural industrial or manufactured product of the republic of Mexico, shall be admitted into the United States for sale and consumption therein, and also those which, being the natural industrial or manufactured product of the United States shall be admitted into the republic of Mexico for sale and consumption therein, under conditions of a perfect reciprocity as to the duties to be imposed thereon, it being agreed that the duties, if any, shall be the same in each of the two lists and operate alike in the two countries on all articles reciprocally received by the two republics; and the duties, if any, which shall be imposed by the Congress of the United States upon the articles of merchandise received therein which are not received by Mexico, shall be the just measure of the duties to be paid to Mexico upon the articles of merchandise which are received by that republic and not received from Mexico into the United States, it being the intention of the Mexican republic to admit the articles in question at the lowest rates of duty, or even free, if the Congress of the United States assents thereto.

¶ The following articles of merchandise, being of the growth or produce of the republic of Mexico, shall be admitted into the United States for sale or consumption therein, in conformity with the foregoing stipulations:

Animals of all kinds.

Ashes.

Brooms, and materials for their manufacture.

Boats of all sizes and classes, for the navigation of the rivers on the frontier.

Coffee.

Cotton.

Drawings and models of large machinery, buildings, monuments, and boats.

Fresh fruits.

Fresh, salted, and smoked meats.

Flour.

Fish.

Grain of all kinds, and of which bread is made.

Geographical and nautical maps and topographical plans.

Lard.

Marble, wrought and unwrought.

Machines and implements for the development of the arts and sciences, and their fixtures, either loose or for their repair.

Poultry and fresh eggs.

Plants, trees, and shrubbery.

Plaster of Paris. [Gypsum.]

Palm-leaf hats.

Quicksilver.

Rice.

Tar.

Tallow.

Timber, unwrought, and fire-wood.

Tobacco, unmanufactured or manufactured, other than segars and snuff.

Turpentine.

Types, spaces, plates for printing or engraving, rules, vignettes, and printing ink.

Agave fiber, dressed or undressed, or made into rope, hammocks, or bags.

Cocoa, cocoa shells, cocoa leaves, and cocoa nuts.

Cochineal.

Dye woods of all kinds and extracts thereof.

Horns and horn tips.

Indigo.

Jalap.

Mahogany or other woods, used in the manufacture of furniture.

Raw hides.

Sarsaparilla.

Undressed sheep skins or goat skins.

Wool, the value of which, when exported, shall not exceed eighteen cents per pound.

And the following articles of merchandise being of the growth or product of the United States shall be admitted into the republic of Mexico, either free of duty or upon the payment of the same rates, or amount of duty, as shall be imposed by the Congress of the United States upon the articles of merchandise hereinbefore enumerated to be admitted into the United States from the republic of Mexico:

Animals of all kinds.

Ashes.

Boats of all sizes and classes, suitable for the navigation of the rivers of the frontier.

Brooms, and materials for their manufacture.

Butter and cheese.

Cotton.

Coffee.

The drawings and models of large machinery, buildings, monuments, and boats.

Every species of textile or woven fabric of cotton, excepting that called brown sheeting. [Manta trigueña.]

Fresh fruits.

Fresh, salted, and smoked meats.

Flour.

Fish.

Grain of all kinds, and from which bread is made.

Geographical and nautical maps and topographical plans.

Lard.

Leather, and all manufactures of leather.

Machines, of all kinds, and implements for agriculture, farming, mining, for the development of the arts and sciences, and their fixtures, either loose or for their repair.

Marble, wrought or unwrought.

Palm-leaf hats.

Plants, trees, and shrubbery.

Plows, and iron in bars, loose.

Poultry and fresh eggs.

Printed books, of all classes, bound in paper. [Pamphlet bound.]

Plaster of Paris. [Gypsum.]

Quicksilver.

Rice.

Stone coal.

Screws, of all sizes.

Tar and turpentine.

Tallow.

Timber, unwrought, and firewood.

Tobacco, unmanufactured or manufactured, other than segars, and snuff.

Types, spaces, plates for printing and engraving, rules, vignettes, and printing-ink.

Wood and iron houses.

Their introduction from one to the other republic, as stated, shall be made at the points which the governments of both republics may fix upon, at the limits or boundaries of the transits ceded and granted in perpetuity by this convention, and at all other ports of entry now fixed, or which may hereafter be provided, in either of the two countries within the jurisdiction of either of the two governments now contracting for the entry of merchandise from other countries, and upon such proofs as may be required that the articles of merchandise so entered are of the growth or manufacture of the republic from which they are exported.

If any similar privileges shall be granted by Mexico to any other nation, at the termini of the aforesaid transits, upon the Gulfs of Mexico and California, and upon the Pacific ocean, or at any other ports of entry of the republic of Mexico, such grant of privileges shall include a reciprocal trade between such other nation and Mexico in the same articles of merchandise, and other reciprocal benefits, with those herein stipulated between the United States and Mexico, and shall not be granted without the payment of a proportionate amount of money, in advance in each case, as an equivalent and compensation for the revenue which may be surrendered by Mexico

in relinquishing the specific or other duties imposed upon others upon the introduction of the articles of merchandise herein enumerated into that republic. The amount to be paid in money by such other nation shall bear the same proportion to the amount of its trade with Mexico in the articles of merchandise herein enumerated, as the sum of four millions of dollars bears to the amount of the trade from the United States to the republic of Mexico in the same articles of merchandise, and shall be computed and apportioned in each case upon the amount of the actual trade of the nations, respectively, to Mexico, in said articles of merchandise, for the five years next preceding the time of the ratification of the present treaty; and all such commercial privileges shall terminate simultaneously with those herein granted.

ART. —. Strike out all after the word "stipulations," line 2, and insert the following in lieu thereof:

—and as a commutation, equivalent, and compensation for the revenue surrendered by Mexico, upon the merchandise from the United States to be entered for consumption in, or to be transported through, the territory of the republic of Mexico free of duty, the government of the United States of America agrees to pay to the government of Mexico the sum of four millions of dollars, of which two millions shall be paid to Mexico immediately upon the exchange of the ratification of this treaty, and the remaining two millions shall be retained by the government of the United States, for the payment of the claims of citizens of the United States against the government of Mexico for injuries already inflicted, and which may be proved to be just, according to the law and usage of nations and the principles of equity; and after the claims shall be ascertained, and a list of the names of the claimants is reported to Congress, with the amount due to each respectively, in pursuance of a law to be enacted by the Congress of the United States for the adjudication thereof, the said two millions shall be appropriated by Congress for the payment of said claims, in full, if the said sum retained is sufficient, and *pro rata* if insufficient, to pay the whole; and the remainder of the two millions shall be paid to Mexico by the United States, in case there is any remainder after the payment of the claims thus proved to be just.

The stipulations contained in the eighth article of the present treaty are to continue for ten years, and thereafter until one or the other of the said republics shall have given one year's previous notice that they desire to terminate the same; and these and all other stipulations shall take effect when the two millions agreed to be paid to Mexico shall be paid, and the necessary laws to carry the same into operation shall be passed by the Congress of the United States.

MEMORANDUM REGARDING THE RIGHTS BOTH UNDER MEXICAN AND INTERNATIONAL LAW OF AMERICAN PETROLEUM COMPANIES OPERATING IN MEXICO IN RESPECT OF PETROLEUM PROPERTIES ACQUIRED BY THEM PRIOR TO MAY 1, 1917.

The following is a statement of the principal facts and questions of Mexican and of international law involved in the controversy between the Federal Government of Mexico and the American oil-producing companies operating in that country.

STATEMENT OF FACTS.

1. The commercial development of petroleum in Mexico was commenced by Messrs. Edward L. Doheny and Charles A. Canfield, of the Mexican Petroleum Co., in the year 1900, in which year these gentlemen acquired their first petroleum properties in Mexico.

2. Not a single acre of oil land was then or has at any time since been acquired by these gentlemen or their companies, or any of the other American petroleum producers from the Mexican Government. No "concession" or grant of any kind has been made to any such company since the beginning of the development period. In every instance petroleum rights have been acquired by purchase or lease made with private owners who held under titles extending back in many instances more than 250 years.

A concession covering public lands was granted by the Government of Mexico to a Mexican company owned by the leading English oil interests, but up to the present time no petroleum development has taken place under it.

3. The only important concessions as to petroleum lands which have been granted at any time since the beginning of the Diaz régime, with the exception of the English concession above alluded to, are concessions granted within the last few months by

the Carranza government itself to its own friends and favorites. These concessions, if legally upheld, effect the confiscation of certain lands belonging to the American petroleum companies, for they purport to permit drilling upon and along the beds of streams running through the oil region despite the fact that the land underneath these streams is, subject to certain easements of passage, owned to the center of the stream by the owners of the adjoining uplands.

In other words, it remained for the Carranza government, purporting to repudiate alleged concessions, to itself enter largely into concession-granting activity.

4. In reliance upon the provisions of the Mexican laws which we shall hereafter quote, American concerns have since 1900 made enormous investments in the purchase and acquisition by lease or contract of oil lands, and in the establishment of a very large system for the collection, distribution, transportation, and refining of the products of these fields. Every dollar of this investment was made in reliance upon the guaranties of the Mexican constitution of 1857, and upon the laws (dating from 1884) declarations, announced policy, and supposed good faith of the Mexican Government.

5. In 1917 the Carranza government procured the adoption (by entirely ultra-constitutional methods) of the so-called Queretaro constitution, in which a clause is found declaring for the first time in the history of Mexican legislation that the Mexican Republic possesses what is called "direct dominion" over petroleum.

No attempt was made to construe the meaning of this clause, or to put it into effect until February, 1918, when the first of a series of decrees relating to the subject was issued. These decrees emanated solely from Mr. Carranza as dictator, were not the result of legislative action by the Mexican Congress, were wholly without legal sanction and were in no sense valid laws of the Mexican Republic.

In substance these decrees purport to construe the constitutional provisions as retroactively affecting properties theretofore acquired by American companies under the terms of preexisting laws, and attempt to confiscate these properties and take them from their owners with no pretense of compensation.

6. Direct enforcement of these laws was at first attempted by the Carranza government; but the petroleum companies, acting with the full knowledge and with the support of the United States State Department, refused to comply with their terms and to admit their validity. Thereafter the Carranza administration sought to accomplish indirectly, by preventing the actual enjoyment of the properties in one way or another, the objects which they had been unable to accomplish directly, but in this they likewise have failed owing to the determined and continued insistence of the American companies upon their rights both under the laws of Mexico and internationally.

7. No questions of taxation are involved in this controversy.

Attention is called to the following points of law:

POINT I.

During the entire period of the acquisition of these petroleum rights by the American companies, and up to May 1, 1917, no doubt exists but that under the laws of Mexico the title to petroleum beneath the surface of privately owned lands belonged to the owner of the surface itself.

From the time when Mexico gained its independence to 1884, no mining code or Federal legislation regarding title to substances found beneath the surface of the land had been promulgated.

On December 14, 1883, however, the constitution of 1857 was amended by authorizing Congress "to promulgate mining and commercial codes which shall be binding throughout the Republic, etc." (Constitution 1857, art. 72 as amended, Sec. X.)

On November 22, 1884, the first Federal mining law of the Republic of Mexico was promulgated under the foregoing provisions of the constitution of 1857. This mining law contained the following clause:

"ART. 10. The following substances are the exclusive property of the owner of the land who may, therefore, develop and enjoy them without the formality of entry (*denucio*) or special adjudication: IV * * * salts found on the surface, fresh and salt water, whether surface or subterranean; petroleum and gaseous springs * * *"

The provisions of this law leave no room for argument as to the absolute ownership of petroleum by the owner of the surface of any given tract of land.

These provisions were not and could not have been the result of any pressure brought to bear upon the Mexican Government by interested parties, for the commercial development of petroleum did not commence until 16 years thereafter.

On June 4, 1892, a further mining code was enacted, which contained the following provisions:

"ART. 4. The owner of the land may freely work without a special concession in any case whatsoever the following mineral substances: Mineral fuels, oils, and mineral waters.

"ART. 5. All mining property legally acquired and such as hereafter may be acquired in pursuance of this law shall be irrevocable and perpetual, etc."

This was the law in force at the time when commercial petroleum development first commenced in Mexico.

A further mining code was issued on November 25, 1909, containing the following clause:

"ART. 2. The following substances are the exclusive property of the owner of the soil: I. Ore bodies or deposits of mineral fuels of whatever form or variety. II. Ore bodies or deposits of bituminous substances."

These are the only basic laws relative to the subject which were promulgated in the Republic of Mexico between the date of its independence and the adoption of the Queretaro constitution in 1917.

Their terms are distinct and unquestioned, and the officers of the Mexican Government themselves have never attempted to seriously claim that they are capable of any interpretation other than that given to them by the petroleum companies.

Each of these laws comprises an unequivocal invitation to foreign capital to enter into the petroleum business in Mexico and contains ample assurance that all such enterprises could safely and properly deal with the owner of the surface of supposed petroleum lands; and all of the great petroleum properties owned by American companies prior to May 1, 1917, were thus acquired by them by private treaty with such owners and in reliance upon the foregoing provisions.

POINT II.

At a special session of the academy of jurisprudence of Mexico held in 1905, the meaning and effect of these laws were considered, and it was held that petroleum rights belonged to the owners of the surface and could not be taken from them at the whim of the Government of Mexico.

Shortly after the beginning of the century the success of the first petroleum enterprise in Mexico became apparent. Thereafter it occurred to certain persons that their interests might be promoted if petroleum could be declared to be the property of the nation and subject to acquisition by denouncement instead of by private treaty with the owners of lands.

They, therefore, brought about a session of the academy of jurisprudence to discuss this subject and this session took place in 1905. There were in attendance practically all of the leaders of the bar of Mexico. The presiding officer was Senor Lic. Luis Mendez, universally considered as the leading lawyer of the country at that time.

The subject received the fullest consideration from every point of view and as a result two resolutions were adopted by the unanimous vote of every lawyer present except the one who had brought about the conference. These resolutions were:

First. That petroleum beneath the surface of lands belonged to the owner of the surface and not to the Mexican Government; and

Second. That these petroleum rights could not be taken from the owner of the surface by the Mexican Government under any claim of superior ownership.

It would have been impossible to have obtained any more authoritative declaration as to the meaning and scope of the preceding petroleum legislation in Mexico than the one which was given to it by this eminent body of jurists.

POINT III.

The Carranza attempts to confiscate these petroleum rights were made pursuant to a series of Executive decrees which purported to interpret the constitution of 1917 as being retroactive in its application, and as vesting the Government with petroleum rights previously acquired under preexisting laws by private operators.

It will be observed in this connection that the language of the constitution of 1917 is, to say the least, ambiguous upon this point. It provides in article 27 that the Mexican Republic possesses "direct dominion" over petroleum. Possibly this clause taken by itself might be construed as referring to all petroleum, whether situated beneath lands previously acquired by private owners or beneath the surface of public lands.

But article 14 of this constitution expressly states that "no law shall be given retroactive effect to the prejudice of any person whatsoever."

And later on the further provision is found:

"ART. 126. This constitution and the laws of the United States of Mexico which shall be made in pursuance thereof * * * shall be the supreme law of the land."

In other words, the constitution itself, including article 27, is by its own terms declared to be one of the "laws" of Mexico, and as such should not be given retroactive effect under its own terms.

President Carranza, however, paid no attention to these articles of the constitution; and commencing in February, 1918, issued a series of decrees based upon the theory that article 27 was retroactive in its effect and that it deprived private owners of all petroleum rights in lands theretofore purchased by them; and that in order to obtain any right to extract petroleum from these lands they must admit the paramount title of the Government to the petroleum, apply for licenses to operate their own properties, and must pay "rentals and royalties" to the Government in consideration of obtaining permission from them to carry on their respective enterprises.

The dates of these decrees are February 19, 1918; May 18, 1918; July 8 as amended August 8, 1918; July 31, 1918; and August 12, 1918.

POINT IV.

These executive decrees were wholly beyond the power of President Carranza to issue.

Prior to the first of these decrees Mr. Carranza had been vested by Congress with the power to legislate matters relative to the national finances.

He had, however, pursuant to the terms of his own constitution, no power whatever to exercise the functions of Congress in any other regard.

Disregarding entirely this limitation and refusing to await congressional action, he hastened to endeavor to revolutionize this most important department of the law and to change the entire preexisting theory of land titles and of subsoil rights.

These facts are illustrative of the utter disregard for due process of law which has been evinced by the Carranza government, and of the dictatorial power which President Carranza has assumed to exercise in this and other matters.

The oil companies immediately commenced court proceedings against these decrees, which proceedings have been pending in the supreme court of justice for over a year, but were never allowed to come to a hearing.

It is entirely possible that even the Carranza attorneys recognized the hopelessness of endeavoring to obtain a decision upholding the validity of edicts so transparently unauthorized.

POINT V.

The Carranza government attempted to justify its confiscatory project by claiming that the Mexican Republic formerly had title to all petroleum, and that the effect of the present constitution is to revest the Government with its original rights.

The foregoing argument is frequently set forth among the excuses advanced by the apologists of the Carranza régime. With regard to it, the following points are to be noticed:

I. Even if it were true as a matter of historical fact (which it is not) that Mexico formerly owned all petroleum beneath its subsoil, the truth nevertheless remains that from 1884 onward her laws expressly repudiated any such claim of ownership, declared that the petroleum belonged to the owner of the surface, and invited the world to act in reliance upon these assurances.

This invitation was accepted, and enormous investments were made in reliance upon such assurances.

In this connection it will be noted that the constitution of 1857 which was in force at the time that these investments were made, contained the following express provisions:

"ART. 16. No person shall be molested in his person, family, domicile, papers and possessions, except by virtue of written order of competent authority which shall have been the basis of due process of law."

"ART. 27. Property of individuals shall not be taken without their consent except for causes of public utility and upon previous indemnization."

"ART. 33. Foreigners * * * shall be entitled to the guaranties set forth in section first, title first of the present constitution" (this being the section and title in which articles 16 and 27 are found).

Irrespective of any claim of former title of the Mexican Government with regard to petroleum, we find that the actual situation is—

First. That the Mexican Government expressly declared for a period of at least 33 years that it had no such title so far as related to petroleum beneath the surface of lands which had passed into private ownership.

Second. That, on the contrary, its laws set forth unequivocally that such petroleum was owned by the owner of the surface and could be sold and dealt with exactly as the surface itself was sold and dealt with, free from any license on the part of the Government.

Third. That this express recognition of property rights in the private owner of the surface was reenforced by the provisions of the constitutional bill of rights above quoted, fully protecting the property rights of every individual except after due process of law and due indemnity.

Fourth. That these provisions were expressly made applicable to foreigners.

Fifth. That Americans placed full reliance upon the foregoing and invested immense sums of money on the faith thereof.

Sixth. That all such foreigners are amply justified in insisting that the rights thus acquired be protected, whatever might formerly have been the position of the Mexican Government with regard to petroleum under lands that had not passed into private ownership.

II. Upon an examination of the ancient laws of Spain relating to this subject, it will be found, moreover, that the Mexican Republic never became vested with the title of petroleum beneath the surface of privately owned lands.

(a) The first law of importance to be noted is the edict of Felipe II of Spain, dated January 10, 1559. This law provides that on account of their great benefit and utility there are taken over into the royal patrimony "ores of gold, silver, quicksilver, and other metals."

It will be noted that the general word used is "metals" and not "minerals."

An interesting feature of this law is that although the edict covered ores beneath the surface of privately owned lands as well as beneath the surface of the public domain, yet careful express provision was made for due indemnity to all private parties who were affected by the operation of the decree and whose property was thus taken from them.

It remained for the president of a supposedly democratic republic to issue decrees upon this subject in 1918, which were more arbitrary, confiscatory, and unjust than the one promulgated in the sixteenth century by one of the most absolute monarchs of Europe.

(b) In 1783 certain ordinances were issued in the time of Charles III, which referred in general language to the "mines being the property of the crown of Spain." The word "bitumen" is used in one of the clauses.

It is upon a forced construction of the language of these ordinances that the claim of the adherents of the Carranza régime is based, disregarding subsequent laws, to which we will now refer.

(c) At some time during the later years of the eighteenth century the commercial importance of coal became recognized. Questions arose as to whether coal mines belonged to the royal patrimony or did not, and in any event as to how best to provide for the extraction of coal from any deposits where it was found. To meet this point a further royal decree, dated December 28, 1789, was issued, which reads as follows:

"For the purpose of clearing up the difficulties met in the use of deposits of coal, and to simplify the method of taking it without prejudice to the owners, and with due reference to public utility, I have seen fit to decree, declare, and order the following:

"(1) Since coal is not a metal or a semimetal, nor any other of the articles comprehended in the laws and ordinances which specify that mines are the property of the royal patrimony, its extraction and traffic shall be free by sea and land throughout all of my kingdom, and its exportation by sea for the purpose of being dealt with in foreign countries shall not be impeded.

"(2) These mines must belong to the proprietors of the lands in which they are found, it being understood that the term proprietor means the direct owner or the enjoyer of the usufruct without there being any need of asking a license from any tribunal or authority in order to extract from, lease from, sell from, or grant from, but if the proprietor, after a mine has been discovered, shall refuse to develop his property in any of these manners, so that they may be turned to account, my council and the intendente of the province or the corregidor of the district shall have power to adjudicate their use to the discoverer, who shall give to the owner the fifth part of the production obtained from it."

It will be observed that by the operation of this law it was established—

(1) That coal was not one of the metals or semimetals which had previously been reserved to the Crown.

(2) That the direct owner of the land is expressly declared to be the owner of this hydrocarbon—which at the time was the only hydrocarbon recognized as having any

commercial value, and that the reason for this rule was expressly stated to be that it was not a metal or semimetal.

(3) That although provisions are made guaranteeing the public the use of coal from any mines, yet this provision is expressly conditioned on the full recognition of ownership and the payment of a royalty to the owner on all coal extracted.

(d) Even after the promulgation of the foregoing edict, there was still evidently some uncertainty as to the exact scope and effect of the former laws upon this subject, and for the purpose of clearing up the entire matter, a further edict of August 24, 1792, was made, which contains the following express provisions:

"(1) Despite any interpretation which might have been given or may be given to the laws and ordinances to the effect that every kind of mines, although not expressly named in those laws, belong to the Crown, mines of coal shall be of free availability as are by ancient custom mines of iron and other substances which are extracted from the bosom of the earth.

"(2) Nevertheless the Crown shall preserve the supreme right of incorporating to itself such mines as it may require or as may be convenient for the use of the royal navy, foundries, machines, or other objects whatsoever and public service. Such mines as may be found in unclaimed or public lands, may be thus incorporated without recompense, but if they belong to local council, communities, or individual owners, there shall be paid to them their just value.

"(3) The direct owners who are the proprietors of the lands where mines of coal exist, whether they are council, communities, or individuals, may discover them, work them, and enjoy them for themselves alone, or permit others to do so, or may rent them or sell them as they see fit, without any license or formality other than that which may be required to enjoy, rent, or sell the land which contains them."

It is difficult to see how, after this final ordinance, any possible doubt can exist as to the fact that coal, which was the only hydrocarbon then supposed to possess any value, belonged not to the Crown, but to the private owner, and that the reason for this was that the prior laws were intended to establish a distinction between metaliferous minerals and nonmetaliferous minerals. And in every case where any provision is made in these edicts which looks toward the utilization of this substance by any person other than the owner, his right to full compensation is expressly and specifically recognized—again in strong distinction to the arbitrary and spoliatory policy which Mr. Carranza thought fit to subsequently adopt.

(c) No express provision is made in these later statutes as to petroleum for the simple reason that petroleum was not then known to possess any commercial value of importance whatsoever. But the principle upon which coal was decreed to be exempted from the royal patrimony is that it was neither a metal nor a semimetal; and this principle is, of course, controlling in the analogous case of petroleum.

(f) The Republic of Mexico obtained its independence in 1821, and thereafter a treaty was entered into with the Kingdom of Spain, whereby the royal patrimony as it then existed was transferred to the Republic of Mexico.

(g) Despite the apparently clear and conclusive language of the decrees quoted, further questions were raised as to the rights of the nation with regard to hydrocarbons generally. The theory was advanced that the laws of 1789 and 1792 did not apply to Mexico. After some litigation on the subject had taken place, the Mexican nation amended its constitution so as to provide for the issuance of mining codes; and the only authority having the right to finally settle this subject, to wit: the Mexican Congress, acting under the provisions of the amended constitution, adopted the code of 1884 which has hereinbefore been quoted and which was intended to and undoubtedly did place the matter forever at rest, establishing conclusively that the nation accepted the interpretation of the preexisting laws which we have hereinbefore set forth, and disclaimed any rights whatsoever in or to hydrocarbons lying beneath the surface of privately owned lands; and this statute in its express language included the word "petroleum."

(h) This interpretation was again discussed and approved in the celebrated session of the Academy of Jurisprudence in 1905, above referred to; and no further question regarding the matter was ever raised until the Carranza propagandists, in their desperate efforts to find some sort of a basis upon which the spoliatory and confiscatory acts of their Government could be defended, resurrected this ancient argument from its grave, and, disregarding its complete refutation which we have hereinbefore presented, attempted to utilize it for the purpose of misleading the uninformed.

(i) For the foregoing reasons it is submitted that under the municipal laws of Mexico, and even under the constitution of 1917 itself, the acts of Mr. Carranza in attempting to take from private owners, without compensation, the petroleum rights which they had validly acquired prior to May 1, 1917, are wholly unwarranted.

POINT VI.

Pursuant to the principles of international law, it is submitted that the confiscatory scheme of Mr. Carranza with respect to petroleum under lands validly acquired by citizens of the United States prior to May 1, 1917, is in violation of the principles of natural justice, and that citizens of the United States are entitled, if necessary, to be protected by their Government against its effects.

This point is specifically covered by the note of the United States addressed to the Mexican Government and dated April 2, 1918, signed by Ambassador Fletcher, in which it is said:

"The United States can not acquiesce in any procedure ostensibly or nominally in the form of taxation or the exercise of eminent domain, but really resulting in the confiscation of private property and arbitrary deprivation of vested rights.

"Your excellency will understand that this is not an assertion of any new principle of international law, but merely a reiteration of those recognized principles which my Government is convinced form the basis of international respect and good neighborhood. The seizure or spoliation of property at the mere will of the sovereign and without due legal process fairly and equitably administered has always been regarded as a denial of justice and as affording internationally a basis of interposition. * * *

"In the absence of the establishment of any procedure looking to the prevention of spoliation of American citizens, and in the absence of any assurance, were such procedure established, that it would not uphold in defiance of international law and justice the arbitrary confiscations of Mexican authorities, it becomes the function of the Government of the United States most earnestly and respectfully to call the attention of the Mexican Government to the necessity which may arise to impel it to protect the property of its citizens in Mexico divested or injuriously affected by the decree above cited."

The same principle is upheld in the note of the British Government of April 30, 1918, addressed to the Mexican minister of foreign relations, in which it is said:

"The provisions of the decree are in the opinion of the Government of His Majesty in open conflict with laws and contracts in force, according to which considerable investments of British capital have been made in petroleum-bearing lands and in the petroleum industry in Mexico. * * * It would be contrary to the principles of the Mexican Constitution and those of justice to separate surface rights from subsoil rights which now belong to those land owners who have invested capital in the 'petroleum-producing zone.'"

We also call attention to the note of the French Government to the Mexican Government, dated May 13, 1918, in which similar protests were made, and in which it is said:

"These regulations, strict compliance with which might entail confiscation, rest on principles of law wholly different from those on which was based the legislation in force when their investments in petroleum in Mexico were made. At that time no attempt was made to establish differences between surface rights and those flowing from subsurface ownership."

These notes, as stated in the American note of April 2, do not establish any new principles of international law, for acts of the description protested against had always been regarded as denials of justice and as affording the basis for international action.

"The Government of the United States will not permit, without interposition on its part, the spoliation by Peru of the property of American citizens invested in that country by the invitation of its own authorities. * * * And even were there such a tribunal, its decrees, validating in defiance of international laws such confiscation, could not bind the citizens of foreign states thereby despoiled.

"This is not, it will be understood, the assertion of any new principles in international law. The seizure or spoliation of property at the mere will of the sovereign and without due legal process, has always been regarded as in itself a denial of justice and as affording the basis for international interposition." (Letter of Mr. Bayard, Secretary of State, to minister to Peru, Jan. 19, 1888, cited Vol. VI, Moore's Dig. Int. Law, p. 253.)

In enumerating various classes of unquestionable denials of justice, the following language is used:

"Among the first class of acts, in which the denial of justice is predicated upon wrongs inflicted by governmental authorities prior to trial, in willful disregard of due process of law, may be mentioned * * * seizure or confiscation of property without legal process * * * the detention and confiscation of vessels without legal process, etc." (Borchard Dip. Prot. of Citizens Abroad, p. 336. Citing 2 Wharton's Dig. Int. Law, S. 235, and numerous other authorities.)

So reprehensible are departures of this sort from the principles of international law that it has been expressly declared that—

"By such a declaration of rules for the guidance of her conduct in international relations, Ecuador placed herself outside of the pale of international intercourse." (Letter of Mr. Rives, Assistant Secretary of State, Oct. 24, 1888, cited Vol. I, Moore's Digest Int. Law, p. 6.)

"The State which disclaims the authority of international law places herself outside of the circle of civilized nations." (Sir Henry Maine, Int. Law, pp. 37, 38.)

POINT VII.

The attempt of Mr. Carranza's government to confiscate these petroleum rights is in sharp contrast with the pledges which he gave to the United States prior to and at the time of such recognition as was afforded him by our Government.

The de facto recognition of Mr. Carranza took place on October 19, 1915.

Prior to that date the following formal declaration had been made by Mr. Arredondo, the special personal and official representative of Mr. Carranza in this country, to Secretary of State Lansing:

"Mr. Venustiano Carranza, depositary of the executive power of Mexico, whom I have the honor to represent in this country, has authorized me to say that his public declarations of December 12, 1914, and June 11, 1915, bear the statement that the Government he represents, in its capacity of a political entity, conscious of its international obligations and of its capability to comply with them, has afforded guaranties to the nationals and has done likewise with regard to foreigners, and shall continue to see that their lives and property are respected in accordance with the practices established by civilized nations and the treaties in force between Mexico and other countries."

Subsequently when the Mexican ambassador was received by President Wilson at the White House, the President, as reported in the New York World, said in substance that he would "welcome convincing evidence that a constitutional Government had been established in Mexico willing and able to guarantee life, property, and justice to Americans the same as other foreigners. The United States asks no more and can accept no less."

Again, before Mr. Fletcher, our ambassador to Mexico, presented his credentials to the Mexican Government, he was instructed by our Government to ask the Mexican minister of foreign relations whether the New Mexican constitution which had then been drafted would be subject to retroactive application with confiscatory results. This was not a mere casual conversation, but was a definite diplomatic inquiry. The answer of the Mexican minister of foreign relations was:

"Legislation emanating from the new constitution with regard to property rights would, in his judgment, in no way prejudice present property rights."

At the same time Gen. Aguilar called Mr. Fletcher's attention to the provisions of the constitution prohibiting retroactive laws.

This answer was reported by Mr. Fletcher to the State Department, was accepted as official, and has been embodied in a form letter issued by the State Department to Americans who have made inquiries as to the effect of the constitution of 1917 upon previously acquired property rights of foreigners.

POINT VIII.

The breach of international obligations resulting from the confiscatory plan of the Carranza government is not excused by the fact that its own citizens have received or may receive similar treatment.

"But where a government asserts that its citizens in a foreign country have not been duly protected, it is not competent for the government of that country to answer that it has not protected its own citizens, and thus to make the failure to perform one duty the excuse for the neglect of another.

"It is true that in this way foreigners may enjoy an advantage over the citizens of a country. This, however, is not a matter for foreign governments to consider. They have no power to regulate the relations of another government to its citizens; nevertheless, they are bound to ask that their own may be protected." (Moore's Digest of International Law, Vol. VI, pp. 803, 804.)

"The measure of one country's international obligations is the measure of the other country's right. The rule of obligation is perfectly distinct and settled. Each country is bound to give to the nationals of another country in its territory the benefit of the same laws, the same administration, the same protection, and the same redress for injury which it gives to its own citizens, and neither more nor less, provided the

protection which the country gives to its own citizens conforms to the established standard of civilization. There is a standard of justice, very simple, very fundamental, and of such general acceptance by all civilized countries as to form a part of the international law of the world.

"The condition upon which any country is entitled to measure the justice due from it to an alien by the justice which it accords to its own citizens is that its own system of law and administration shall conform to this general standard. If any country's system of law and administration does not conform to that standard, although the people of that country may be content or compelled to live under it, no other country can be compelled to accept it as furnishing a satisfactory measure of treatment to its citizens." (Address of Secretary Root before Am. Soc. Int. Law, Apr. 28, 1910.)

Other declarations are:

"International law recognizes on the part of each member of the family of nations certain forms or attributes of government for the purpose of assuring the rights of the individual. * * *

"The rules of international law in this matter fall with particular severity upon those countries where law and administration frequently deviate from and fall below this standard; for the fact that their own citizens can be compelled to accept such maladministration is not a criterion for the measure of treatment which the alien can demand, and international practice seems to have denied these countries the right to avail themselves of the usual defense that the alien is given the benefit of the same laws, the same administration, and the same protection as the national. * * * The individual * * * will be protected * * * when his rights * * * as measured not necessarily and finally by the local, but by the international, standard, are invaded." (Borchard on Dip. Protection of Citizens Abroad, pp. 27-28. Citing Pillet, A., *Recherches sur les droits fondamentaux des etats*, Paris, 1899, pp. 19-28, and other authorities. Also Pillet, *Principes de droit Int. Priva.* Paris, 1903, pp. 169, 194.)

"The alien therefore, is not bound to accept the treatment accorded to nationals if such treatment is in violation of the ordinary principles of civilized justice, and notwithstanding the fact that the national has no immediate remedy against the injustice." (Borchard, p. 107.)

This point has been well discussed and fully covered in the notes of the United States Government to the Government of Mexico with regard to the petroleum confiscation program.

The question in all such cases is whether the principles of natural justice have been violated.

In all such cases the rights of the foreigner are not measured by the rights of the national.

And in the present case, where enormous investments have been made by Americans upon the faith of the perfectly explicit preexisting laws of Mexico, it is submitted to be clear that the principles of natural justice are violated by Mexico when it attempts, without pretense of compensation, to arbitrarily change its laws for the express purpose of confiscating the properties which had been acquired, developed, and shown to be valuable by the courage and initiative of foreigners.

POINT IX.

For the foregoing reasons it is submitted that the confiscatory plan of the Carranza government with relation to these petroleum rights can not be defended on the principles either of Mexican municipal law or of international law or practice, that no nation can prosecute such an illegal and immoral campaign without constituting itself an international outlaw, and that citizens of this country who have made large investments in reliance upon the good faith of the Mexican Nation and whose interests are threatened by a repudiation of that nation's previous pledges and laws, are entitled to the protection of their own Government in case of need.

Respectfully submitted.

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General Counsel of the Pan American Petroleum & Transport Co.

TEXAS COURT OF CRIMINAL APPEALS. JOSE ANTONIO ARCE ET AL., APPELLANTS,
V. STATE OF TEXAS.

[Tex. Crim. Rep. —, 202 S. W. 951.]

CRIMINAL LAW—OFFENSE UNDER WAR—JURISDICTION TO PUNISH.

1. A State has no authority to punish depredations by citizens of a foreign country who have invaded its territory for the prosecution of a war existing between such country and the United States. (For other cases see Criminal Law, III, in Dig. 1-52 N. S.)

ARMY—LIABILITY OF SOLDIER FOR OBEYING COMMAND.

2. A soldier is not answerable in a civil court for killing an enemy soldier in a battle in which he was directed to engage by command of his superior officer. (For other cases, see Army and Navy, in Dig. 1-52 N. S.)

April 17, 1918:

Appeal by defendants from a judgment of the district court of Webb County convicting them of murder. Reversed.

The facts are stated in the opinion.

Messrs. C. M. Henry and George & Townes for appellants.

Every person is entitled to have a fair and impartial trial by an impartial jury, uninfluenced by any other consideration than the evidence adduced on the trial.

Randle v. State (34 Tex. Crim. Rep. 45, 28 S. W. 953); *Coffman v. State* (62 Tex. Crim. Rep. 88, 136 S. W. 779); *Richmond v. State* (16 Nebr., 388, 20 N. W. 282); *Streight v. State* (62 Tex. Crim. Rep. 453, 138 S. W. 742); *Meyers v. State* (39 Tex. Crim. Rep. 500, 46 S. W. 817); *Barnes v. State* (—Tex. Crim. Rep. —, 59 S. W. 882, 14 Am. Crim. Rep. 415, 83 S. W. 1116); *Gallaher v. State* (40 Tex. Crim. Rep. 296, 5 S. W. 393, 11 Am. Crim. Rep. 207); *Dobbs v. State* (51 Tex. Crim. Rep. 629, 103 S. W. 918).

Justice to the military subordinate and the necessities and efficiency of the service require that the order of the superior should protect the inferior, leaving the responsibility to rest where it properly belongs—upon the officer who gave the command.

United States v. Clark (31 Fed., 710; *McCall v. McDowell*, 1 Abb. U. S., 212, Fed. as. No. 8673; *Com. ex rel. Wadsworth v. Shortall*, 206 Pa. 165, 65 L. R. A. 193, 98 Am. St. Rep. 759, 55 Atl. 952; *Riggs v. State* 3 Coldw. 85, 91 Am. Dec. 272; *People v. McLeod*, 25 Wend. 483).

Messrs. Hamilton & Greer, also for appellants.

Mr. E. B. Hendricks, Assistant Attorney General for the State.

Davidson, J. P., delivered the opinion of the court:

Jose Antonion Arce, Vivinte Lira, Pablino Sanchez, Jesus Cerda, Isabel de los Santos, and Fredrico Gutierrez Zapata were charged with killing William Oberlies. Four of these defendants were placed upon trial for the homicide, namely, Arce, Lira, Sanchez, and Cerda, and given the death penalty for the killing of Oberlies, who, it seems, was a corporal in the United States Federal Army.

There are many interesting questions presented for revision in various ways. The motion to change the venue, application for continuance, exception to the jury, and incidental matters will not be discussed. They may not arise upon another trial, if one should occur; and should they, will be presented in a different light and from a different view, perhaps, as set forth in the record.

A condensed substance of the facts will show that during the recent trouble on the Rio Grande and in Mexico there was trouble between the United States and Mexico. We know, as a matter of history of the current events attending this trouble, that the United States invaded Mexico with a column of troops under Gen. Pershing, and there may have been other like occurrences on the Rio Grande by the United States troops. It is not the purpose of this opinion to go into the history of the trouble between the two countries, and the incidental fights and battles that may have occurred in connection with these troubles. Suffice to say, they did occur, and, under the authorities, this brought about a condition of "war" between the two countries. It was not what the authorities may term a complete state of war, but rather in the nature of an incomplete state of war. There was no formal declaration of war, as we understand the history of the times, between the two countries, where a state of war was recognized

as existing between the two countries. During these troubles, among other things that occurred was a force organized at Monterey by the direction and under the authority of the Carranza de facto government. It is shown by this record that, when this command was completed and the plan laid, it was done with the view of invading Texas and attacking some of the Federal troops located just below Laredo at San Ygnacio. There was a company of Cavalry of the Regular Army stationed at this point, with trenches and other means incident to resistance to attack. These Mexican troops made an attack upon this troop of United States Cavalry at night. On the night of the attack, another troop of United States Cavalry reached the point where the first troop was camped to spend the night en route to Zapata County, and when the fight came off that night both troops were in action. Four or five United States soldiers were killed and nine or ten of the Mexicans. Three of the Mexicans and one that was wounded were captured. These were tried under this indictment in the Texas State courts and, on conviction, given the death penalty. The evidence makes it clear that these Mexican troops were commanded by Carranza officers. One of these officers was killed during the fight, who seemed to rank as a lieutenant colonel. The commanding officer of the Mexicans was De los Santos, who, it seems, was later captured by the forces of Villa and executed. His name was in this indictment, but he was never arrested. That a state of warfare existed between the two countries is not questioned. Brig. Gen. Enoch H. Crowder, Judge Advocate, United States Army, has the following to say in an official opinion:

"It is thus apparent that under the law there need be no formal declaration of war; but that under the definition of Vattel a state of war exists, so far as concerns the operation of the United States troops in Mexico, by reason of the fact that the United States is prosecuting its rights by force of arms and in a manner in which warfare is usually conducted. The statutes which are operative only during a period of war have been interpreted as relating to a condition and not a theory. * * * I am therefore of the opinion that the actual conditions under which the field operations in Mexico are being conducted are those of actual war. That within the field of operations of the expeditionary force in Mexico, it is a time of war within the meaning of the fifty-eighth article of war."

There are also in connection with this record, in the motion for new trial, exhibited to the court excerpts from a communication from the district attorney of Webb County to John L. Wroe, secretary to Gov. Ferguson, as follows: "The jury returned the verdict of guilty and assessed the punishment of death. These four Mexican citizens testified under oath that they belonged to the constitutionalist army of Mexico; that the band that attacked San Ygnacio consisted of 75 men; and that they were publicly organized and equipped in Monterey and Jarita with the full knowledge of the de facto Government of Mexico. The recent trials in Webb County of the bandits who murdered our soldiers at San Ygnacio, the fact that they were publicly organized and equipped in Mexico, that they met and mingled with the forces and officers of the de facto government, that they were furnished transportation in the three railroad cars from Monterey to Jarita, that it was widely proclaimed at Monterey that these bands were going to make hostile incursions into Texas, that men high in the councils of the de facto government were cognizant of the unlawful enterprise, and yet not a finger was raised by that government to frustrate the mission. I charge the de facto government with full responsibility for the recent raids committed in my district, and I charge that these raids were conducted with the knowledge and consent, if not the approbation, of the de facto government."

It might also be stated in this connection that it is a question for judicial cognizance and knowledge that this battle at San Ygnacio was never disavowed by the de facto government of Mexico. It seems also to be within accurate statement that the organization of these expeditionary forces attacking San Ygnacio was by and under the direction of Gen. Nafarrette, Gen. Fierros, Gen. De la Rosa, with Col. Cavanas, Col. Isabel de los Santos, Col. Cruz Ruis, and others, and these were officers of the constitutionalist or de facto Carranza government. Col. Cruz Ruis was killed in the battle.

This, we think, was a state of warfare. See, in addition to what has been quoted from *Bas v. Tingy* (4 Dall., 37, 40, 1 L. ed., 731, 732), United States Supreme Court Reports, as follows: "It may, I believe, be safely laid down that every contention by force between two nations in external matters, under the authority of their respective governments, is not only war, but public war."

While the invasion of Mexico by Gen. Pershing's column was not a public or complete war, or not preceded by a declaration of war against Mexico by the United States, it was an act of war, and, under the definition given by Gen. Crowder and the authorities generally, it was technically and within the limited meaning of the word "war." It was not made with the consent of the de facto government of Mexico, but rather,

in fact, over the protest of that country. In the case of *Montoya v. United States* (180 U. S., 261, 45 L. ed. 521, 21 Sup. Ct. Rept., 358) it was said: "To sustain a claim under this section it is incumbent upon the claimant to prove that the Indians taking or destroying the property belonged to a band, tribe, or nation in amity with the United States. The object of the act is evidently to compensate settlers for depredations committed by individual marauders belonging to a body which is then at peace with the Government. If the depredation be committed by an organized company of men constituting a band in itself, acting independently of any other band or tribe, and carrying on hostilities against the United States, such acts may amount to war, for the consequences of which the Government is not responsible under this act or upon general principles of law." (*United States v. Pacific R. Co.*, 120 U. S., 227, 234, 30 L. ed. 634, 636, 7 Sup. Ct. Rept., 490.)

This extract is made from *Prize Cases* (2 Black, 635, 17 L. ed. 476): "War has been well defined to be 'that state in which a nation prosecutes its rights by force.' The parties belligerent in a public war are independent nations. But it is not necessary, to constitute war, that both parties should be acknowledged as independent nations or sovereign States. A war may exist where one of the belligerents claims sovereign rights as against the other."

The *Montoya* case was a claim by a citizen against the United States for depredations by an Indian band commanded by the Chief Victoria. Some of the troop of which Victoria was chief were friendly to the United States; many of them were not. Victoria organized a band of his own tribe and Indian warriors from other tribes, and depredated upon the people of New Mexico, and finally went into Old Mexico. There was a fight between the band of Victoria and United States troops. A claim was made for a depredation made by Victoria and was held not valid because it was not brought within the terms of the law which makes the United States responsible only for depredations by tribes friendly to the United States.

It occurs to the writer that, according to the principles laid down in these decisions, and under the general rules with reference to warfare, the Mexican column that attacked the troops at San Ygnacio came within those rules, and that, if they are to be dealt with for crossing the river and fighting our troops, it should be done by the United States Government and not by the Texas courts. Texas has no authority to declare war against Mexico nor create a state of war. This must be done by our General Government at Washington, by the special delegated authority in the Constitution of the United States. Whatever may have been the rights of these Mexicans; the authority to punish, the writer feels, is within the jurisdiction of the United States and not the courts of Texas. If there was a state of war between the two countries, actual and complete, or inchoate and incomplete, then it became an international or Federal question, and not a State matter.

It might be interesting, but of no practical value, to follow this matter with reference to some fighting that occurred in Mexico at the time Gen. Pershing's column invaded that country, in which some of our soldiers were killed and some captured. The principles above laid down, as far as our information goes, controlled the relation between the de facto Government and the United States, with reference to that battle and our soldiers who were captured. They were not tried by the Mexican courts, but turned over to the United States, as we gather the history of the transaction. So, from this viewpoint, we are of the opinion that this judgment should be reversed.

We might also refer to the invasion of Mexico by the United States Army and Navy at Vera Cruz, under the command of Gen. Funston. Our soldiers, if captured, would have been subject to trial and punishment in Mexican courts, under the same rules as their soldiers would in our courts.

There is another interesting question or two in the case which may be mentioned incidental to the other question. Gen. Mann was used as a witness, as were other Federal officers, among them the two captains who commanded the two troops of Cavalry on the night of the fight. From their testimony, a general statement may be made to the effect that these Mexican soldiers would be controlled by their officers in command, and be obedient to them; that the command was organized under the authority of the Carranza or de facto Government of Mexico, and was in fact a military command. By this testimony it seems that, wherever under such circumstances, the soldiers must obey the orders of their superiors, and failure to do so would subject them to discipline, which rates from minor punishment to death, according to the rules which have been violated, by those under authority.

When a soldier is ordered to fight, it is his duty to do so, and he may forfeit his life on refusal to do so. If he deserts under certain circumstances, he may be shot or executed. These Mexican soldiers were ordered by their officers, commanded by

the officers, headed by the officers, to make the fight; the officers led them into the battle and they fought. Some were killed, others escaped and fled. Some were wounded, one of whom was captured and is under sentence in this case. It seems while being tried he was suffering severely from a wound. One at least of the defendants claimed to have been forced to go into battle by his commanding officer. He did not desire to fight, but under the rules of warfare if he deserted he would be tried and would be shot, or if he disobeyed orders and failed to engage in the fight he might forfeit his life.

If the State courts had jurisdiction of these defendants, we are of opinion the conviction is erroneous.

From any viewpoint of this case we are of the opinion that this judgment should be reversed and the cause remanded.

Pendegast, J., absent.

ANNOTATION—LITIGATION ARISING OUT OF MEXICAN REVOLUTION.

The earlier cases on this subject are collected in the annotation following *O'Neil v. Central Leather Co.* (L. R. A. 1917A, 280).

The decision of the New Jersey court of errors and appeals in the *O'Neil* case, there annotated, was affirmed by the United States Supreme Court (*Oetjen v. Central Leather Co.* (U. S. Adv. Ops., 1917-18, p. 367), 246 U. S., 297, 62 L. ed.—38 Sup. Ct. Rep., 309), without considering, as the New Jersey court did, the validity of the levy of the contribution made by the commanding general.

The Supreme Court took the position that, under the rules of international law, the subject was not one for reexamination by it or any other American court, and that the act in that respect came within the principle that the conduct of one independent government can not be successfully questioned in the courts of another, that principle being as applicable in a case involving the title to property brought within the custody of a court as it is to cases in which claims for damages are based upon acts done in a foreign country, since it rests at last upon the highest considerations of international comity and expediency. The Supreme Court in this case took judicial notice that the Government of the United States had recognized the Government of Carranza as the de facto Government of the Republic of Mexico, on October 19, 1915, and as the de jure Government on August 31, 1917, and it further held that recognition of that Government as the de jure Government was retroactive in effect and validated all the actions and conduct of the Government so recognized from the commencement of its existence.

In the *Oetjen* case (*United States*) supra, the Supreme Court, in reply to the contention that the seizure of the property by a general acting under the Carranza Government was contrary to the provisions of the Hague Convention of 1907 "respecting laws and customs of war on land," said that it would perhaps be sufficient answer to say that the Hague Conventions are international in character, designed and adapted to regulate international warfare, and that they do not, in terms or purpose, apply to civil war. The court also suggested certain considerations making it doubtful whether the seizure in question would be in violation of the "regulations" referred to. The court, however, did not definitely decide these points, but placed its decision upon the application of the principles already referred to.

In *Ricaud v. American Metal Co.* (U. S. Adv. Ops., 1917-18, p. 370), 246, 304, 62 L. ed.—38 Sup. Ct. Rep., 312, the United States Supreme Court, answering questions certified by the circuit court of appeals for the fifth circuit, held, in effect, that the action by Gen. Preriva, who in 1913 was the commander of a brigade of the Constitutionalist Army of Mexico, of which Venustiano Carranza was then first chief, in seizing bullion within Mexico in behalf of that Government and selling the same, was binding, and could not be questioned on the merits, in a suit by the former owner to enjoin the collector of customs at El Paso, Tex., from delivering the bullion to other defendants, who had derived their title through said sale. In reaching this conclusion, the court took judicial notice of the recognition by the United States of the government of Carranza, first as a de facto and later as the de jure Government of Mexico, and declared that such recognition was retroactive in effect and validated all the acts of the Carranza Government from the commencement of its existence, and that the act in question came within the principle that the courts of one independent Government will not sit in judgment on the validity of the acts of another, done within its own territory. In reply to the contention based upon the fact hypothesized in one of the certified questions, that the ownership of the bullion was in a citizen of the United States, who was not a resident of Mexico at the time of the seizure and condemnation, the court observed that whatever rights such an American citizen may have can be asserted only through the courts of Mexico, or through the political

departments of our Government. The circuit court of appeals rendered judgment accordingly (*Ricaud v. American Metal Co.*, C. C. A.—250 Fed., 853).

The conduct of the foreign relations of our Government is committed by the Constitution to the executive and legislative—"The political"—departments of the Government, and the propriety of what may be done in the exercise of this political power is not subject to judicial inquiry or decision. *Oetjen v. Central Leather Co.*, (United States), *supra*.

In the *Ricaud* case (United States), *supra*, the petition which stated the required diversity of citizenship to give the Federal district court jurisdiction alleged that the bull ion was the property of the plaintiff, and that it had been forcibly taken from his possession in Mexico by unknown persons, but made no reference to a state of war prevailing at the time and place of seizure. The court held that neither the jurisdiction of the district court nor its own jurisdiction was affected by the facts in regard to the seizure under the authority of the Carranza Government, although the action in that respect was binding and conclusive on the merits, and must be accepted by the court as such. In this connection, the court observed that to accept a ruling authority and decide accordingly, is not a surrender or abandonment of jurisdiction, but is an exercise of it.

In *De la O. v. Consolidated Kansas City Smelting & Ref. Co.* (1918) (—Tex. Civ. App.—202 S. W., 1027), an action against the smelting company for conversion of the proceeds of ores, a judgment for plaintiff was affirmed upon the ground that the defendant was estopped by the terms of its contract from asserting a title based upon confiscation by the Mexican Government. The court, however, observed that while, under the decision of the United States Supreme Court, it would take judicial notice of the fact that Carranza was the head of the military government in northern Mexico at the time the ores were imported (September 29, 1914), and that such Government could seize and sell property for military purposes, and that by any such sale, by its authorized officers title would pass to the purchaser, it concurred with the finding of the trial court that the record did not distinctly show that the officer or agent making the seizure and sale of ore in question was duly authorized to do so.

In *Bartlettsville v. Compania Minera Ygnacio Rodriguez Ramos, S. A.* (1918) (—Tex. Civ. App.—202 S. W. 1048), an action for the conversion of ores in which the defense was that the ores had been seized and confiscated by Francisco Villa as a military necessity, and sold to parties in Mexico, from whom it was purchased by the defendant in good faith, the jury found that civil war existed in Mexico during the time the ores were taken, and that the armies led by Francisco Villa were opposed by the armies of Carranza; but further found that the cars of ore sued for were not taken "by any force or government in possession and contriol of the territory where plaintiff's mine was, or by any agent of such force or government acting by authority of such government or force. Nor was it taken by Francisco Villa, or any of his agents or officers, acting by his authority or directions; nor were the proceeds thereof intended for the benefit of the faction dominated by Villa." The court held that the question covered by the finding quoted was a proper one for the jury to determine, since, while the evidence was uncontradicted that the ores were purchased from Hipolito Villa, and that he was the financial agent of Gen. Villa, there was no positive statement that the ores were taken for the use of the armies; and that, while there were circumstances tending to show that they were taken by him as a representative of Gen. Villa for the army, there were also circumstances tending to show that they were taken for his own private use. The judgment in favor of the plaintiff in this case, however, was reversed, because of the improper admission of testimony as to the acts of Villa, such as mistreating prisoners, killing women and children and Chinamen, the court apparently being of the opinion that such testimony might improperly prejudice the jury against the recognition of any title based upon a confiscation by Villa's officers or agents. In this connection, the court observed that a material inquiry in the case was whether or not the ores were confiscated and sold by Villa's officers or agents, as such, for the reason that under the settled law of the United States, a sale by such would confer title.

In *Bartlettsville Zinc Co. v. Compania Minera Ygnacio Rodriguez Ramos, S. A.* (Tex., *supra*), it was held that the court did not err in charging the jury not to consider the decree of Carranza confiscating the property in question, and other property, for the reason that it was promulgated at a time when he and Villa were acting together, while at the time the ore was seized and confiscated they had divided, and each taken leadership of a faction contending against the other; hence Carranza's decrees had no probative force in determining whether the ore was confiscated in fact by Villa or his officers.

It will be observed that the opinion in *Arce v. State* (ante, 358), bases its decision that the soldiers of the Mexican Government engaged in the fight at San Ygnacio were

not amenable to punishment by the state of Texas for murder because of their acts in that fight, upon the view that an incomplete state of war existed at that time between the United States and Mexico. The opinion makes a valuable contribution on this subject.

In *De Orozco v. United States* (1916) (151 C. C. A. 70, 237 Fed. 1008), a proceeding by the United States to forfeit a bail bond given for the release of the principal, who had been arrested upon a warrant issued upon a complaint charging him with having conspired "to begin and set on foot and provide and prepare the means for a military expedition to be carried on from the territory and jurisdiction of the United States against the territory and dominions of the United States of Mexico, with whom the United States of America are at peace;" and also charging as an overt act, the purchase and shipment to and storage at a warehouse "at Fifth and Santa Fe Streets," of military supplies, the court in answer to the contention that the preparation of such a military expedition was not a violation of Sec. 13 of the penal code, because the government of Carranza had not been recognized at that time as the legitimate Government of Mexico, said that the case of the Three Friends (1879) (166 U. S. 1, 41 L. ed. 897, 17 Sup. Ct. Rep. 495), shows that the prior recognition by this Government, of legitimacy or belligerency of the government or faction against which the expedition is directed, is not necessary to make such provision applicable.

In the *De Orozco Case* (Fed., *supra*), the court in answer to the objection that the complaint failed to allege the name of the city where the supplies were shipped and stored, and therefore failed to show an overt act within the jurisdiction of the district court for the western district of Texas, said that the jurisdiction may be determined by the place of the formation of the conspiracy, as well as that of the commission of the overt act; and that the allegation that the conspiracy was formed at El Paso in the western district of Texas was sufficient in that regard.

G. H. P.

APRIL 20, 1920.

Hon. A. B. FALL, M. C.,
Washington, D. C.

SIR: I have read (p. 1187 of printed records of testimony before your investigation committee) the testimony of Henry Forbes, and hereby certify to the following facts:

1. That said testimony of Henry Forbes, in so far as I am concerned, is a fabrication, pure and simple.
2. That I have no oil interests or leases or denouncements in Mexico, and have never had any at any time, and never had any connection whatever with oil in Mexico, except to assist said Forbes in securing a lease about five years ago, and which he allowed to expire six months later.
3. That I know nothing about any such transaction as he mentioned in his testimony.
4. That I know of no reason whatever for his having connected my name in any way with any such transaction or any other transaction connected with any lease or denouncement of any nature, in Mexico, or anywhere else.
5. That I am reasonably certain that I am the party referred to as "Dr. Dixon," "recently discharged from the United States Army," as I served as a captain in the Army, and am the only physician from here that has been discharged from the Army. I now hold a captain's commission in the M. R. C.
6. That said Forbes admitted to me this morning, after I had given him a severe "calling down," that his testimony was based on hearsay, and that he refused to name any party or parties that had given him the information.

E. E. DICKASON, M. D.

Sworn to and subscribed before me this 20th day of April, A. D. 1920.

[SEAL.]

E. M. MONROE,
Notary Public.

SWORN STATEMENT OF MRS. R. L. ——— RELATIVE TO HER CAPTURE NEAR WASHINGTON PARK, BEING TAKEN ACROSS THE RIVER INTO MEXICO AND THERE ASSAULTED BY MEXICANS.

My name is Mrs. R. L. ———; I live at 4103 ——— Street, El Paso, Tex.; my husband is a soldier attached to the headquarters troop of the Eighth Cavalry at Fort Bliss, Tex.; I have lived here in El Paso for about three weeks; I was married on April 9 last to R. L. ———; I was a nurse overseas before coming to El Paso; I landed in New York from overseas on March 4, 1920; I was with the old Ninety-first Division; I came back with the First Infantry and came directly from New York to El Paso.

On April 12 last my husband and I were intending to go horseback riding; when I was ready to go my husband was busy and could not go, and he arranged for me to go with two boys out of the Medical Corps at Fort Bliss—Tom and Arthur Griffith; they are brothers; we left my home at 4103 ——— Street, near Washington Park, El Paso, Tex., about 2.15 in the afternoon; we went right down past Washington Park; when near the boundary line on the American side of the river we saw a Mexican, armed; he halted us; as soon as he pulled his gun the two boys with me ran, and I presume expected me to do likewise; the Mexican caught hold of the bridle to my horse and I could not do so, he having put his gun in my back; the Mexican spoke in Spanish and I could not understand him, that is, what he said, but from his gestures I understood that he wanted me to dismount; I then dismounted; he walked me about half a mile to the river; when we reached the river he had me mount my horse and swim the river; this Mexican did not have on a uniform, just overalls, a big Mexican hat, and belt and pistol; when we got on the Mexican side of the river there were 17 other Mexicans there and two other officers; I knew these two men were officers because they had on belts with cartridges and pistols like the Mexican that had me in charge; none of them had on uniforms; one of these Mexicans spoke a little English, and he told me the best thing I could do would be to accompany this man that had me in charge to Juarez; when we come across the river these two other Mexican men that I supposed to be officers went on up the river; the other Mexican officer that brought me across the river took me to a little adobe house near by; at this adobe house I was assaulted by these Mexicans; the one that captured me and brought me across the river was the first one; when we got across the river and to this house it was about 2.45 p. m.; we got to Juarez about 4 o'clock; in Juarez this Mexican took me to the customhouse; there was no one there that could talk English; after a while a little Mexican came in that could understand English and I told him that I wanted to see the American consul; pretty soon the American consul came over to the customhouse; they did not lock me up; they detained me in the customhouse; it was about 6 o'clock when the American consul obtained my release; in my excitement I did not give my correct name to the American consul in Juarez; I did not want to give my right name nor to tell about this affair on account of the publicity that would be given to it; I did not say anything about the Mexicans assaulting me until I told my husband; the two boys that were with me and had gotten away came back and told about me being captured; after I told my husband about it he advised me to tell the officials. The next morning Maj. Hill, a doctor of the Medical Corps at Fort Bliss, came to see me; Maj. Hill made a physical examination of me; I do not know what he found; he never told me, but he told me not to worry; I know he must have found evidence that would corroborate my statement regarding the assault. I know it was quite evident to a doctor that I had been assaulted.

On Friday, April 16, I went to Juarez, Mexico, in company with Capt. Counts, the district intelligence officer, United States Army, and the American consul, Mr. Dow; we first went to the judge of letters, and he advised us that he did not have jurisdiction of the case. to go to the district judge, and I made my statement to him; the man that captured me and took me to Mexico was brought in and I identified him as the man that had captured me and as one of the men that had assaulted me; it developed that he was a Carranza customs officer; the district judge informed me that I would have to employ a Mexican lawyer, make my statement to him and have him reduce it to proper form and properly present by case, and that I would have to submit to an examination by a Mexican doctor. I identified the man, in Juarez before the district judge, that captured me and took me to Mexico, and I can identify him again; I can also identify the two Mexican officers that were on the Mexican side of the river when my captor took me over there.

On April 14 last Capt. Matlack, Tom and Arthur Griffith, the boys that were with me at the time I was captured, and I went down to the point near the boundary line where I was captured by this Carranza customs officer; and there Tom and Arthur Griffith and I showed Capt. Matlack the place where I was captured, and Capt. Matlack saw a plenty of evidence there that would indicate that the place we showed him was the place of my capture; there were the tracks of the horses of the two boys, Tom and Arthur Griffith, where they had wheeled and run and my tracks where the Carranza customs officer made me dismount; Capt. Matlack stated after his observation that the point where I was captured was fully a quarter of a mile of the boundary line on American territory.

Mrs. R. L. ———.

Subscribed and sworn to before me, a notary public in and for the County of El Paso, Tex., on this 19th day of April, 1920, at El Paso, Tex.

J. W. SCHMID,
United States Commissioner Western District, Texas.

SWORN STATEMENT OF ———.

After leaving Mr. ——— in Villa's hands, ——— and myself proceeded to the railroad, under the escort of ———, ——— took the train north to Juarez to arrange with our officials about getting the money. I went south to Villa Ahumada to attend to company business. On my arrival there I was immediately summoned before the officer in charge of the garrison, Lieut. Col. Quiroga. I was thoroughly interrogated by him regarding my movements and asked regarding Villa. I told him that I had been with Holguin and then turned loose 40 miles from the railroad instead of on the railroad. These were my instructions from Villa, so he would not be located, and for the safety of Mr. ———. Quiroga said that I had not told the whole truth and it would be best to put a rope around my neck to see if I would not tell the truth. Thinking better of it, he said: "We will send you to Chihuahua, where they certainly will put a rope around your neck." Next day I was placed under guard, along with Mr. ———, of the ———, and sent to Chihuahua. We were very much abused by these officers, who wanted us to ride in the gondola in which the guard traveled. This we refused to do and got into the first-class coach without a ticket. At Moctezuma we were told by the conductor we would have to buy a ticket, but the guard would now allow us to purchase same, saying, "Give us the money and we will buy a ticket for you." Mr. ——— gave the captain of the guard a \$20 gold piece and that is the last we heard of ticket or money. That was the Carrancista guard.

On getting on the train again Mr. ——— gave the conductor a check for the amount of our fares to Chihuahua. This matter was reported to Col. del Arco, who belonged to the Juarez garrison, and who was on the train. Just this much to show that robbery is not confined to the bandits.

On our arrival at Chihuahua we were met by practically the entire American colony who assisted us in many ways out of our apparent difficulties. We were driven to the military headquarters and there detained overnight in a room 12 by 12, without chairs, beds or anything, and in the middle of the night some three intoxicated peons were thrown in with us. Next day at 11 o'clock we were brought before Murguia's chief of staff. I was again interrogated in a very nice way by Murguia's chief of staff, who assured me that Lieut. Col. Quiroga had exceeded his authority and that he would immediately telegraph him not to molest me in carrying on the affairs of the ———. He also gave me a safe guaranty that I would not be molested further by Carranza soldiers.

After coming to the border I rendered such assistance as I could to get the money to Villa and obtain the release of Mr. ———; which was accomplished in the Bosque Benito country about the 15th of November.

I would like further to state that the Villista who seized us close to the mine was a man by the name of Jose de la Paz, who immediately, with his men, proceeded to take everything we had in the shape of watches, money, clothes, guns, etc. Jose de la Paz was a lieutenant colonel on the staff of Martin Lopez. Since the attack on Juarez this Jose de la Paz was arrested by the secret service men in El Paso, placed in jail, and released on bond of \$750, and since has returned to Mexico.

Before his release I identified the man in the office of the Department of Justice and told them "This is the man responsible for our capture." I may further state this man's family lives in El Paso and his children are being educated there at the expense of the American taxpayers.

It is impossible for us to make an exact estimate of our total loss in the way of supplies and provisions taken from the mine and on the road to the mine and lost at Villa Ahumada and paid in ransoms, but we estimate our total loss by Villista raids and taken by Carrancistas from the time we begun operations up to June the 20th of this year at \$30,000.

In June, 1918, a man by the name of Jose Saldana came to our office and represented himself as an agent of Francisco Villa and offered to give us protection, providing the company would pay him a certain sum of money monthly. We refused to have any dealings with this man.

STATE OF TEXAS, County of ———, ss:

Before me, ———, a notary public in and for ——— County, Texas, on this day personally appeared ———, personally known to me to be the person who executed the above and foregoing instrument and acknowledged to me that same is true and correct.

Sworn to and subscribed before me this 13th day of January, A. D., 1920.

[SEAL.]

Notary Public in and for ——— County, Texas.

STATEMENT OF ———.

This company has been doing business mining lead and silver ores at the ——— mine since September, 1916.

This mine is situated in the State of Chihuahua, Mexico, 80 miles south of ——— and 40 miles east of ———, a station on the Mexican Central that runs between Juarez and Chihuahua.

Shortly after beginning operation raids were begun by various bandits calling themselves Villistas. These raids have been kept up continuously up to the 20th of June of this year, when we were finally compelled to stop operations.

We appealed to the Carranzista authorities ——— many times for protection. Several times they sent troops out to the mine, but never stationed any garrison at or near the mine or gave us any protection.

In response to various appeals made to the military authorities in Chihuahua for protection, we received the following reply from Gen. F. Murguía, who was at that time in command of the military forces of the State of Chihuahua. This communication was directed to Mr. F. Honigman, government inspector of mines, a free translation of which reads as follows:

Answering your official communication of the 9th instant, of which I have taken due notice relative to the protection and security of the mineral districts to which you refer and manifest to you that this head of operation has the firm intention to give this same security to all centers of work and industry within its power and in accordance with the workings of the military operations in the zone under his command, I am disposed to guard attentively these districts, such as Parral, Santa Barbara, Naica, and others which are on the railroad or at a convenient distance from the same, under the condition that the owners, representatives, or companies which direct them put them in operation.

In regard to the other mining camps, which are completely isolated from said lines or in distant parts of the State, at an opportune time we will give them the same guaranty, which for the time is not possible.

I reiterate to you my attentive consideration.

J. DE LAS O. M. F. MURGUÍA,
Constitution and Reform.

CHIHUAHUA, May 14, 1917.

Seeing that it was impossible to get protection from the Government, and being in a position where we were compelled to work the property, we found it necessary to continue operations without protection and to make the best arrangement possible with the bandits who visited our place continuously.

We were compelled to submit to these raids and allow the bandits to carry off my supplies they desired. Many times our employees and workmen were threatened with violence at the hands of these robbers unless their demands were complied with. Several times the workmen were all driven from the property, work was completely suspended, and all supplies at hand were disposed of by the bandits.

We invariably notified the Carranzista authorities of these visits, but they were not able to prevent the Villistas from robbing the commissary whenever they so desired.

The Carranza authorities made very little real effort to capture these bandits.

Here is the detailed statement of robberies and raids on our properties, as reported to me by ——— who was superintendent of the ——— mine at the time.

"Operations at the ——— mine were started during the month of September, 1916, and for two months we were not molested by the Carranza and Villa forces.

"In the month of November Epifanio Holguín put in his appearance. When I was in ——— the foreman at the mine advised me of the fact and recommended me not to come out for the time being. On this visit he took practically everything which was then in the commissary, amounting possibly to 500 pesos. On this trip he had about 10 men with him.

"He made repeated trips to the mine during November, December, and January, taking small amounts of provisions each time and leaving word with the men to tell me that he was very anxious to see me and for me not to be afraid, because he was our friend.

"During the month of January, 1917, we had in all 16 visits from different bands of Villistas, each one taking small amount of provisions.

"In the month of February Holguín, with 16 men, encountered me at a watering station on the road and informed me that he was Villa's representative in this district and that he had instructions to get \$5,000 gold from us to help out the Villa cause, but that being a good friend of ours he would let me off upon the payment of 3,000

pesos. This was eventually reduced to 2,000 pesos, which was paid. This was supposed to release us from any further assessment or robberies on the part of Villa. It has been proven since that Holguin was a free lancee, and not connected with Villa.

"All this time the Carranzistas in ——— were kept informed of the movements of these different bands of Villistas, but refused absolutely to do anything. On one of these occasions I advised the general in charge of ——— that Holguin and a party of 15 men were then within 3 miles of ——— and no action was taken.

"In June, 1918, I advised the major in charge of the garrison that Holguin was then about 6 miles from ——— and had taken charge of two wagon loads of provisions, which were then on the road to the mine, and that if he would send men out immediately that he would be able to get Holguin and prevent the provisions falling in his hands. The major advised me he could not do anything in the matter without first reporting it to Chihuahua to get instructions. On this occasion Holguin stayed with the provisions until they arrived at the mine, two days later, where he took all the provisions, leaving the workmen absolutely without anything to eat and burnt the wagons in which the provisions had been hauled to the mine.

"During all the time that I was in charge of the mine our freighters were suffering loss of mules and our men were repeatedly sent into ——— and told not to come back to work. Many times the workmen at the mines were not only out of provisions, but the small amount of water for drinking purposes was consumed by the different bands of Villistas for their horses, then forcing the men to abandon the mine and come into ——— on foot.

"On several occasions we were instructed to close the mine down and not to open it up again under a threat of having the property blown up and destroyed.

"Conditions became so bad during December, 1917, that I went to ——— to see if some kind of protection could not be given to us. At this time I had a contract for the extraction of ore from the mines and being a ——— subject called upon my consul at Chihuahua City to get him to go with me to see the proper authorities regarding this protection.

"I was advised by him to do absolutely nothing in the matter, as Francisco Murguia, who was the general in command, was absolutely pro-German; that nothing could be gained by seeing him, and, in fact, that we would be insulted by him, and more than likely, he thought, advised that he was pro-German and had no use for anyone who was a subject of any one of the allied nations, and that it would be better to try and get the protection from the local authorities. However, this was impossible, as the general in command at ——— was always drunk and had absolutely no command over his men.

"On occasions when requests were made for protection to the local authorities, they put up as excuses that their men had not been paid for several months, and that in case of an encounter they would not fight, fearing desertion at any time that they saw the possibility of getting away.

"On November 24, 1918, Villa took ——— after a fight of about 30 minutes, killing several of the garrison and capturing 37, whom he afterwards shot.

"Evidently before this attack was made he gave instructions to his men that the officers and employees of the company should not be molested, as soldiers were placed in front of the office and none of the Villistas were permitted to enter. He, however, took from me personally close to 7,000 pesos worth of provisions and clothing.

"A few days later Murguia, with seven trainloads of soldiers, arrived in ——— and took possession of the town without a fight, as Villa had already left.

"During the occupancy of the town by Murguia and 2,500 soldiers they practically destroyed the automobile belonging to the company, taking off the wheels and tires, and everything that was movable, part of which we recovered by buying them from the Carrancistas' soldiers, as Murguia was inaccessible to anybody.

"No attempt was made at this time to try and round up Villa, who was known to be some 15 miles west of ———, where he stayed during the entire time that Murguia was in the town.

"During Villa's stay in ——— he remarked to me that he was not a bit afraid of Murguia, intimating that they had a tentative agreement for Murguia to operate on the Railroad and Villa in the mountains.

"Murguia left ——— Col. Boliva Sierra was left in charge, and immediately ordered me to take the other machine, which was still in running order, and corn for his animals. I told him in the first place that the machine was in running order, and that in the second place, if it was, that the first obligation would be to get provisions out to the men at the mine, as they had no provisions for several days and probably were starving. He kept in-

sisting on our using the machine for his purposes, and upon my refusal to do so, he insulted us and called us Villastas.

"During his stay in ——— he lived in the adjoining house, and he and his staff were intoxicated practically all the time, and on one occasion they shot at the chimney of the house in which we lived and stated it was a pity the "Gringos" were not there so they could take a shot at them also; in fact, pandemonium reigned the whole time he was in charge of the garrison.

"From the time that Villa's forces left ——— to the closing of the mine, on the 20th of June, 1919, there were several visits made to the mine by Villastas, but very little in the way of provisions was taken.

"Upon Villa's return south, after his defeat at ———, he occupied the office of the company, taking clothing, bedding, supplies, and furniture such as he needed.

"Upon the occupancy of the town by the Carrancista forces they looted the company's office, and their soldiers sold many of the articles belonging to the company to people living in ———.

"On June 21, 1919, the Carranzistas took the town. Upon my arrival in ——— a few days later, I was able to get back a few of the articles which the Carranzistas had stolen, as some of them were loaded on trucks belonging to the garrison.

"The offices of the company were in possession of Gen. Ferede, and a demand was made upon him for the delivery of the office, which he refused to do, stating he had no other place to live in and that he would deliver the house when he got ready to leave. Since that time repeated requests have been made to turn the house over to us, but without avail."

These raids finally culminated with the capture of ———, president of the company, ———, general manager, and ———, mining superintendent, ———, by Epifanio Holguin, who had been operating in this section for several years as a Villista. We were taken by Holguin and, after traveling for eight days, were delivered to Francisco Villa. Holguin at first demanded a ransom of \$50,000 American gold, or the alternative would be to deliver us to Villa; of course, we could not pay the \$50,000, so he took us to Villa.

Upon reaching Villa, he said to Holguin: "Where did you get these Gringos?" Holguin answered: "At the ——— mine." "Why did you not hang them there and be done with it, and save me the trouble of doing it here?" was Villa's rejoinder to Holguin.

Villa asked ———: "By whose orders are you working those properties? Don't you know that they are in my territory, and no one can work without my permission? If you wish to work, all right; but you must first make arrangements with me."

Then Villa began a long harangue about the persecution he had received at the hands of our Government, particularly from the President and other officers, which was about as follows:

"Wilson caused me to lose the battle of Celaya, because he refused me permission to pass two carloads of ammunition that I had at El Paso; for this reason the ammunition did not reach me in time, and I lost the battle. Later he recognized Carranza as President, when he had led me to believe that I was the one to be recognized as President. Still later he allowed Carranza to move 3,000 troops from Eagle Pass to Agua Prieta, which caused me to lose the battle of Agua Prieta. He allowed Carranza to move his troops across American frontier in order to defeat me. American guns were fired at my men at this same battle. This was not sufficient. My brother, Hipolito, was arrested and held for a ransom of \$300,000, and was not allowed to go free until the last dollar was paid. I thought they would surely kill him. I hid from my men and cried like a child; but no, they did not execute him. When the last dollar was paid, they turned him loose.

"This was not all. I could stand all of this, for this was a fight between men; but then they arrested my wife at the bridge at Juarez and treated her like a dog—took the money from her purse and tore the rings from her fingers, amounting in all to \$25,000.

"For all this persecution that I have received at the hands of your President and your Government you people must pay, and pay with your lives."

A little later Villa said that if we would pay him the \$300,000 paid for his brother he would allow us to go free. This sum was later reduced to \$50,000. Upon our insisting that it was impossible for us to pay this amount of money he reduced the demand to \$25,000, the amount of money in cash and jewelry alleged to be taken from Villa's wife at El Paso. He ultimately reduced the amount to \$20,000, with these words: "Pay me \$20,000 and do not talk any more about it. It is your business to get the money."

It was then agreed that ——— and ——— were to be released to secure the money and ——— be held until the money was paid. After being held in all 25 days, and

after having paid the amount of money demanded by Villa, I was released at the border and instructed not to give out the information I had seen Villa nor that I had paid any ransom. That this money was to be considered a loan, and if I would do as he advised me the money would be returned. If on the contrary I gave out the information that I had been with Villa and had paid a ransom that myself and my property would suffer the consequence later on.

Subscribed and sworn to before me this — day of ———.

[SEAL.]

Notary Public.

FORT MADISON, IOWA, August 18, 1919.

Senator ALBERT B. FALL,

Chairman Subcommittee on Mexican Conditions,

Foreign Relations Committee, United States Senate, Washington, D. C.

GENTLEMEN: Having recently read in the newspapers that a subcommittee headed by Senator Fall had been delegated to secure information as to the losses sustained by American citizens in Mexico, I wish if possible, to file a statement with the subcommittee as to my interests and losses.

From 1900 to 1912 I made heavy investments in Mexico and in 1906 took up my residence in Mexico City, becoming a director of the United States Trust Co., Mexico City, S. W. Rider, president. I remained in Mexico City until 1912, when in conformity with the recommendations of the United States Government communicated to me by the United States Ambassador to Mexico, the Hon. Henry Lane Wilson, and by the United States consul general to Mexico City, Mr. Arnold Shanklin, I abandoned my Mexican interests and left the country.

I am a native-born American citizen, physician, biologist, and chemist by profession; my permanent residence is in the town of Nelson, State of New Hampshire, and I maintain a winter residence in Nassau, Bahama Islands, where I am a registered medical practitioner and president of the Bahamas Plantation Co. (Ltd.). My record is briefly sketched in "American Men of Science" and in "Who's Who in America."

I have not as yet filed any claim with the Department of State, but now that there appears to be a bona fide effort to protect American interests in Mexico, I desire to place my claim on record with the hope that the United States Government may assist me in gaining peaceful possession of my properties and a just compensation for losses sustained in being deprived of them for the past eight years.

The statement attached hereto will serve to show the nature of my interests in Mexico and I will, when desired, certify the same and present full documentary evidence.

Very respectfully,

CHARLES S. DOLLEY.

STATEMENT AS TO THE INTERESTS OF CHARLES S. DOLLEY, M. D., AND HIS WIFE, ADELAIDE C. DOLLEY, IN THE REPUBLIC OF MEXICO.

1. Twenty-five thousand acres of grazing and timber lands situated in the municipality of Tila, district of Palenque, State of Chiapas, including the coffee plantation known as "Jolnocpa," of 350,000 coffee trees, in full bearing in 1912, with dwelling houses, factory buildings, coffee cleaning, drying, and grading machinery, cattle, mules, etc. This property was deeded to me in 1908 by the Pennsylvania Plantation Co. of Philadelphia, incorporated in the State of Maine, of which I was, for several years, president. From the time it was deeded to me, it was under the management of my son, Lester C. Dolley, C. E. In the fall of 1913 he was driven off the property of Jolnocpa by insurgents, went down to the city of San Juan Bautista, to await the restoration of peace, was taken with tropical dysentery, hastened to Mexico City, and died in the American Hospital, Mexico City, December 17, 1913. Repeated but unsuccessful attempts have been made by myself and my representatives to recover possession of the estate. About 600 head of cattle and 20 mules were confiscated at the time my son was dispossessed, the house and factory looted and partly burned. At that time the property was worth at a low valuation, \$250,000.

2. The El Metate Mine, near Rio del Oro, State of Guerrero:

Title to this rich free-gold property was taken by me in 1908, after several years' thorough investigation of the district by experts in my employ. Americans were driven out of this Balsas River country in 1912, many suffering great losses, and they have, as far as I can learn, never been able to resume operations. The El Metate property is conservatively valued at \$50,000.

3. The Adelaida Mine, near Jecurato, district of El Fuerte, State of Sinaloa:

This is one of the richest and largest veins of zinc-lead-silver ore ever discovered in Mexico. It was originally located and title taken to it by Francis O'Gorman, a prominent American geologist and mining engineer, who died in Mexico City in 1907. I married his widow in 1908. The title stands in the name of my wife, Adelaide C. Dolley. Up to 1912 we had expended over \$30,000 on the development of the property and in that year we had arranged with the firm of Denny Brothers, of London, England, well known mining experts, for the capitalization and operation of the mine, when the disturbed conditions put a stop to all mining in that district. This property is valued at \$300,000.

4. Residential property in the Seattle Colony, Guadalajara, Jalisco.

These lots are in the name of Adelaide C. Dolley, and were taken over by her in settlement of a loan to one Maude Miller Sanchez, of Mexico City. Value, \$10,000.

5. Investment in the securities of the South Eastern Railroad Syndicate, "Compania Ferrocarril del Sur Este," owning concession from the Federal Government, granted by the Diaz administration, to build a road from Santa Lucrétia to Campeche, 700 miles.

All preliminary surveys had been completed and the road financed in London and Paris, and contract let to the firm of Norman Griffiths & Co., of London, for building the road, when the Madero rebellion put a stop to all work. This interest amounts to about \$40,000.

6. Investment in the Cia Explotadora de Productos de Maguey, with factory at Apam, State of Hidalgo.

I was president of this company from its organization. Though seriously interfered with on account of its general manager, Claude Dunning, being married to a Mexican lady, this company has managed to do some work. Its product, agnel, is handled in the United States by The Agnel Co. of America (Inc.), A. W. Donly, Rahway, N. J., president. This interest amounts to about \$20,000. It was founded on letters patent granted to me by the Mexican Government.

7. Several letters patent granted by the Mexican patent office, 1910, 1911; \$10,000.

I feel that I am entitled to demand the full possession of all my properties, free from all claims for back taxes or other imposts, and to at least 6 per cent on the total investment from 1908 to date of settlement. I wish, furthermore, Government aid to recover for me the title papers, deeds, and other legal documents pertaining to the various properties herein mentioned, left by me in the hands of Lic. Jose E. Gomez, of Mexico City, who had received them for record, but who has refused to return them to me.

SUMMARY.

1. Chiapas coffee plantation, grazing and timber lands.....	\$250,000
2. The "El Metate" mine, State of Guerrero.....	50,000
3. The "Adelaide" mine, State of Sinaloa.....	300,000
4. Real estate in Seattle Colony, Guadalajara.....	10,000
5. Securities of the Cia Ferrocarril del Sur Este.....	40,000
6. Interest in the Cia Explotadora de Productos de Maguey.....	20,000
7. Various Mexican patents.....	10,000
Aggregate.....	680,000

In witness whereof I have hereunto set my hand and seal this 19th day of August, 1919, and hereby swear that the above statements of interest in Mexico are true as I verily believe.

CHARLES S. DOLLEY. [L. s.]

Sealed and delivered in the presence of Geo. H. Schafer and Sarah H. Williams.

STATE OF IOWA,
County of Lee, ss:

Be it known that on this 19th day of August, 1919, before me, a notary in and for said county, personally appeared Dr. Charles S. Dolley, above named, who is to me known to be the person described in and who executed the above statement of interests in Mexico and claims on same, and acknowledged same to be his act and deed. Subscribed and sworn to before me by the said Dr. Charles S. Dolley on this 19th day of August, A. D. 1919.

SARAH H. WILLIAMS,
Notary Public in and for Lee County, Iowa.

SOMERVILLE, TEX., August 20, 1919.

Senator FALL,
Washington, D. C.

DEAR SIR: I herewith inclose you my account for damages against the Mexican Government. I was advised to send it to you by the consul at Monterey.

Yours, very truly,

W. A. LYON.

The STATE OF TEXAS, *County of Burleson*:

Before me, J. J. McCain, a notary public in and for Burleson County, Tex., on this day personally appeared before me William A. Lyon, known to me to be a credible person, and after being by me duly sworn on oath says, that he is a native-born citizen of the United States, having been born in Washington County, Tex., on the 26th day of October, 1844, and is now a citizen of the United States, and was on the dates and time that his property was destroyed in the Republic of Mexico, and that he is and was the sole owner of said property herein listed before and at the time of its destruction, and that no other person has any claim to said property. And was at the time of the seizure and destruction of said property residing at Somerville, Burleson County, Tex. And the deponent further says that he has never received payment in whole or in part for said property.

W. A. LYON.

Sworn to and subscribed to before me, this the 16th day of October, 1918.

J. J. MCCAIN,
Notary Public in and for Burleson County, Tex.

I hereby certify that I have no interest in the claim herein filed, and am neither the agent or attorney for the affiant, William A. Lyon.

J. J. MCCAIN.

INVENTORY OF PROPERTIES AND HOUSEHOLD EFFECTS BELONGING TO WILLIAM A. LYON, LOCATED IN THE VICINITY OF TOPO CHICO, NUEVO LEON, MEXICO, POST OFFICE ADDRESS SOMERVILLE, BURLESON COUNTY, TEX.

Fences.....	\$300.00
Tools.....	12.00
Farming implements.....	6.00
1 violin.....	16.00
Liquors.....	40.00
2 slot machines.....	250.00
Harness.....	200.00
Furniture.....	170.00
Bedding.....	115.00
Dining room and kitchen utensils.....	180.00
Clothing.....	250.00
2 acres of corn, 3 months old.....	100.00
2 acres of peas, 3 months old.....	100.00
1 acre of sugar cane, 2 months old.....	75.00
2 acres of corn, 3 months old.....	75.00
1 acre of barley, 3 months old.....	75.00
4 acres of barley, 3 weeks old.....	74.00
1 acre of sugar cane, 1 month old.....	25.00
2 acres of barley, 4 weeks old.....	25.00
1½ acres of barley, 4 weeks old.....	40.00
Total.....	2,128.00

The above property was destroyed by the Federal soldiers of the Republic of Mexico during the years 1912-13.

AMERICAN CONSULAR SERVICE.

UNITED STATES OF MEXICO.

STATE OF NUEVO LEON,
City of Monterey:

This day personally appeared before me, G. D. FitzSimmons, vice consul of the United States of America, Cecilio Villela and his wife, Juana Ornelas, both Mexican citizens, who are known to me, and after being duly sworn, depose and say: "We are acquainted with W. A. Lyon, having been employed by him as caretakers of his prop-

erty near Topo Chico, about 4 miles north of Monterey. About the fall of the year of 1912 we were left in charge of certain property belonging to the said Lyon, consisting of farm, implements, crops, and other property listed herewith. During this fall and year following the place was visited by soldiers known as "Carrancistas," who without our consent or permission took and destroyed everything that was on or about the place. Further the deponents sayeth not.

CECILIO (his x mark) VILLELA.
JUANA ORNELAS.

Witness to signature of Cecilio Villela: W. Landolt.

Sworn and subscribed before me at Monterey, Mexico, on this 14th day of August, A. D. 1919.

[SEAL.]

G. D. FITZSIMMONS,
Vice Consul of the United States of America.

NEW YORK CITY, September 8, 1919.

HON. ALBERT B. FALL.

United States Senate, Washington, D. C.

DEAR SIR: We note in this morning's New York Times that the subcommittee, of which you are chairman, of the Senate Committee on Foreign Relations, will shortly conduct hearings on the Mexican question. We also note that the investigation of your subcommittee, among other things, will cover:

"The amount of damages suffered by Americans as a result of the destruction, confiscation, or theft of personal property.

"Damages suffered by Americans as a result of the confiscation or deprivation of the use of lands owned by them in Mexico."

On May 20, 1918, in behalf of Mr. Charles F. Simon, an American citizen whom we now represent, a claim for damages against the Mexican Government amounting to \$49,774.80 was filed with the State Department.

It has occurred to us that possibly your subcommittee will be interested in having the papers in this claim, which covered damages to both personal and real property of Mr. Simon at his ranch in Mexico during the year 1916. We shall be glad to furnish you any such paper as you may wish.

Respectfully, yours,

PALMER & SERLES.

Know all men by these presents, that I, Charles F. Simon, of the Borough of Manhattan, city, county, and State of New York, have made, constituted, and appointed, and by these presents do make, constitute, and appoint Albert R. Palmer, Frank R. Serles, and George F. Handel, composing the firm of Palmer & Serles, attorneys at law with offices at 46 Cedar Street, in the Borough of Manhattan, city, county, and State of New York, my true and lawful attorneys, to represent me, in my name, place, and stead, before the Department of State of the United States of America, or before any court, board, or committee, or before any person or persons in any and all matters pertaining to a claim for damages against the Republic of Mexico, filed in my behalf on or about the 20th day of May, 1918, with the Department of State of the United States of America, giving my said attorneys full power to do everything whatsoever, requisite and necessary to be done in the premises, as fully as I could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorneys, or their substitutes, shall lawfully do, or cause to be done, by virtue hereof.

In witness whereof, I have hereunto set my hand and seal to this instrument in triplicate the 16th day of September in the year one thousand nine hundred and nineteen.

C. FITZHUGH SIMON. [L. s.]

Signed, sealed, and delivered in presence of Herbert J. Carroll.

STATE OF NEW YORK,

County of New York:

On this 16th of September, 1919, before me personally came Charles F. Simon, to me known and known to me to be the individual who executed the foregoing instrument and he duly acknowledged that he executed the same.

HERBERT J. CARROLL,
Notary Public.

Term expires March 30, 1920.

MEMORIAL OF CHARLES F. SIMON IN SUPPORT OF HIS CLAIM AGAINST THE REPUBLIC OF MEXICO.

I, Charles F. Simon, claimant, am a citizen of the United States of America. I was born October 2, 1861, in the city of St. Louis, State of Missouri, and resided in that city until about 20 years ago, when I purchased about 1,800 acres of land in the State of Vera Cruz, Mexico, about 40 miles from the city of Jalapa. This land lies in two adjacent valleys, one known as "Clarín," one as "Rincon Negros." I planted on these lands 300,000 coffee trees, cleared pastures, made roads and fences. I built a residence for my family, also houses for workmen, stables, waterworks, drying grounds for coffee, and a machinery house in which I installed a complete outfit of modern machinery for the treatment of coffee. By 1914 I had in successful and profitable operation my coffee plantations with a full complement of workmen, who were well treated, well paid, and contented. They had the privilege without cost, of corn land, bean land, and pasture. I cared for them when they were sick, and in every way treated them with consideration. I was encouraged in this enterprise by the then existing Government.

On or about the 23d of April, 1914, the Mexicans living near the property entered my residence, situated in Clarín, by force, broke open two locked desks and several locked cupboards, took all my papers, title deeds, accounts, and some money, breaking some of the furniture. After the American troops left Vera Cruz I secured the title deeds to the property, but not my accounts, papers, money, etc.

We now come to the year 1916. Señor Caranza was in power and the district in which I lived swarmed with his opponents, something like 800 armed men. They rode around in small bands, living largely off the people like myself who had houses, beds, and food. Fifty of them would ride up to my house and other ranches of Americans at nightfall, and we would be forced to put them up for the night and often longer, feeding the men and horses. They go away, of course, without paying, sometimes taking saddles, blankets, and what money one is forced to let them have. In fact one is completely at their mercy, and they play with him as a cat does a mouse, all this notwithstanding the Mexican Federal Government was fully apprised of the situation by appeals from myself and others.

In April, 1916, Gen. Cejudo, who was the chief of the rebels in my district, took over my property and used my residence as military headquarters. I lived in Jalapa some 40 miles away, which city was within the control of the Federal authorities. I wrote to Gen. Cejudo protesting over his action in taking over my property. He replied that he regrets it, but he is obeying superior orders, and will give finally a full report to our consul in Vera Cruz, which was never done. The result is my foreman and workmen, with their families, were forced to leave the place and the ranch was abandoned to the mercy of the rebels. Before they left my foreman, Felipe Diaz, and my storekeeper, Candido Carretero, made an inventory of the contents of my residence, also an inventory of the houses and machinery, etc., which I file with this paper, together with their affidavits. The rebels took possession of all the coffee that was on the ranch, also all other articles that they could use to advantage, and finally completely wrecked the contents of my residence.

These articles of furniture which they could not well carry off they destroyed. They stabled horses in the parlor and generally defiled the house. The garden of several acres which surrounds the house they have used for a corral for mules and the valuable plants were completely ruined. In December, 1916, my foreman received word that the rebels would allow him to return. So he wired me to the United States where I was then living. I replied by wire to take full force of men and start work cleaning up the property. I knew that if this was not done that the entire plantation would be ruined. If a coffee plantation is not kept free from weeds, the trees deteriorate rapidly and soon die. The growth of weeds in the Tropics is excessive and the plantings must be cleaned from four to six times each year. As we had been forced to abandon the property the previous spring, and in the meantime the rainy season had come and gone, the coffee plants were smothered in weeds. My foreman gathered all the workmen in the district and started to clean up the plantation, in the meantime following behind with the coffee pickers. The coffee crop comes on about the 1st of November and lasts until March. Before the 1st of November a plantation should be cleaned and ready to be picked. I knew that it would be impossible to pick the crop on account of the fact of our getting possession of the plantation so late in the season. However, I thought that I might be able to get some of it to help to pay for at least part of the expenses of the weeding of the plantation. We cropped in the spring of 1916, 107,456 kilos, whereas in 1917, owing to the fact that the rebels had my plantation in their possession and had run off all of my workmen, we were

only able to crop 18,446 kilos, thereby losing 89,100 kilos. I have stated that the 1916 crop was 107,456 kilos.

As a fact, we were unable to crop all of it, being disturbed so much by those roving, armed bands, so that we lost about 23,000 kilos, which dropped from the trees and could not be recovered. I make a claim for the loss of the crop this 1917 season and base the loss on the difference between what was actually picked in 1916 and in 1917. All taxes have been paid by me to the Mexican Government up to January 1, 1917. My ranch is still in the power of the rebels. They have an officer living on my plantation. I make a claim for the deterioration of the value of the plantations through being left abandoned. A plantation so left in the Tropics reverts in a short time to a wilderness of growth, killing off all artificial plantings and ruining the labor of years. I have claimed 15 per cent of the total plantings. In my itemized account I have called the total planting only 255,000 trees, whereas I have stated in this report that I had planted 300,000. This is owing to the fact that 45,000 trees had been abandoned because they had been planted in badly exposed places. I make a claim for the damage done to the houses. These left open to the wind, rain, animals, for any length of time soon go to pieces. This damage is considerable, and I have placed a conservative amount for which I believe they can be replaced or patched up as good as they were. I make claims for articles stolen; also horses, mules, cattle, coffee; for the destruction of contents of my residence and garden. All this is shown by affidavits made by one who was living on the place and filed herewith. I submit some receipts for a portion of the stolen property, as we secured all of these we possibly could. In all cases the amounts representing costs are set down with strict justice, and the amounts claimed are less rather than more than the actual damage sustained. The Mexican Federal Government has collected taxes, but has failed to afford me protection. The damages I now claim are what I have suffered up to May, 1917.

The conditions in the district have continued about the same since that time. The rebels are still in possession of my ranch; they dominate the neighborhood and the Government has failed to suppress them. I have spent large sums of money in attempting to regain and operate my ranch. A German living on adjoining property has never been molested. The policy of our Government has been misunderstood by the Mexican people and the American subjects have suffered in consequence. My house was completely furnished for occupation by myself and family, consisting of my wife and three children. The furniture included my silverware, cut glass, china, general furniture, rugs, a valuable library, pictures, bric-a-brac, etc., all of which was taken away or destroyed. I attach hereto as Exhibit A a rough itemized account of my property destroyed and damaged, together with the fair cash value thereof, also incidental expenses incurred by me. Such account is correct according to my best knowledge and belief.

I also file herewith as Exhibit B inventory, with affidavit, of the contents of my house and other property made by Felipe Diaz and Candido Carretero; one original in Spanish with translation in triplicate; also as Exhibit C affidavit of Felipe Diaz, showing coffee and articles stolen; one original in Spanish with translation in triplicate; also as Exhibit D affidavit of Felix Diaz as to property on Rincon Negros at that time and comparison of coffee crops of 1916 and 1917; one original in Spanish with translation in triplicate. Also as Exhibit E sundry receipts in Spanish given for some of the property taken referred to above, together with translations in triplicate.

On account of conditions existing since May, 1917, I have been unable to visit my ranch or to operate it successfully. I have suffered many losses since May, 1917, but shall ask leave to submit proof of same later. My property is practically ruined and I am debarred from the country.

I make this claim in behalf of myself as owner of the property referred to in this memorial. I am and was when this claim originated a citizen of the United States. At the present time I am domiciled in the city of New York. When this claim originated, I was domiciled in the city of Jalapa, Mexico. I was never a subject of the Republic of Mexico, and never took an oath of allegiance to the Government thereof. The entire amount of this claim belongs to me and did when it had its origin. I have never received any sum of money or other equivalent or indemnification for the whole or any part of the loss and injury upon which this claim is founded. I am 56 years old.

At present I am engaged in business at 225 Fifth Avenue, in New York City, having been compelled to abandon my Mexican property as stated above, with no prospect of being able to rescue and restore it.

The accompanying affidavits of Felipe Diaz and Candido Carretero were prepared in ignorance of the rules of the Department of State. They lack some of the information called for by those rules. They were not executed in triplicate. I,

however, file translations in triplicate. It is impossible to get new affidavits at this time. I can not go to Mexico, nor could I find the parties if I did go, nor can I send papers there under present conditions.

I can say of my own knowledge that neither the said Philippe Diaz nor Candido Carretero has any interest, financial or otherwise, in this claim. The said Diaz was for many years my faithful ranch foreman and the said Carretero was my storekeeper at the time of the events which they describe in their affidavits. They resided on my ranch. They are both reputable men of mature age. I do not know their present location.

I file this memorial in triplicate, together with single copies of the original affidavits of Philippe Diaz and Candido Carretero in Spanish with translations in triplicate; also original receipts in Spanish for a portion of property taken by the rebels, with triplicate translation.

I am a loyal American citizen. I invested my all and devoted 20 years of my life in this coffee plantation with the encouragement of the Mexican Government. That Government failed to protect me and my property. I now invoke the aid of the American Government in securing compensation from the Mexican Government.

I have retained as counsel Mr. Franklin Ferris, Third National Bank Building, St. Louis, Mo.

Itemized statement of damages to property of C. F. Simon.

	United States currency.
1. Destruction of contents of residence in "Clarín" (see inventory), including library of some 1,800 books, many of rare editions and value. A large collection of fine tableware and cut glasses and bowls, linen (bed and table), furniture and pictures, oriental rugs, fully equipped kitchen, large range with hot and cold waterworks, clothing, etc...	\$9,500.00
2. Complete destruction of garden of several acres, full of rare plants from foreign countries.....	1,500.00
3. The taking by various armed bands of men at different dates, 600 hundredweight of coffee, ready for shipment, at 10 cents per pound.... See affidavit of Felipe Diaz. This coffee was contracted to William Schotten of St. Louis, Mo., at 14½ cents per pound, less cost of shipping in 1916, 4½ cents.	6,000.00
4. The taking by various armed bands of men on different dates, 68 hundredweight of coffee, at 10 cents per pound..... While on the road between the plantation and Jalapa. See affidavit of Felipe Diaz.	680.00
5. The taking by force sacks, value 150 pesos; 11 mules, value 1,870 pesos; two horses, 550 pesos; 17 head of cattle, value 1190 pesos; various articles, value 660½ pesos; total 4,426½ pesos, at exchange rate of 2 for 1.....	2,213.25
6. The taking by force by different armed bands on different dates the sum of 3,364 pesos in paper money. This money was of depreciated value and for the purpose of making this account, I assume it to be on basis of exchange of 5 for 1.....	672.80
7. The difference between the crop of coffee in 1916 and that of 1917 is 89,010 kilos, or 1,935 hundredweight. These above figures are sworn to in affidavit of Felipe Diaz. The costs of producing the coffee is \$4.25 on the plantation and sending to Jalapa and from Jalapa to St. Louis \$3.50 per hundredweight more. In claims 3 and 4, you will note that the shipping expenses were put at \$4.50 from Jalapa to St. Louis, but that was in 1916, whereas this is in 1917 and the export duties are now lower. I sold coffee this year to James H. Forbes Tea & Coffee Co. at 13 cents, and claim on the 1,935 hundredweight the difference which is \$5.25 hundredweight.....	10,158.75
8. The loss of 15 per cent of the coffee trees planted, owing to the fact that they were abandoned and left to the mercy of tropical growth, 15 per cent of 255,000 trees equals 38,250 trees, at value of 25 cents United States currency per tree.....	9,550.00
9. The actual damage done to artificial pastures, fences, and houses.....	3,000.00
10. For feeding of various bands at different times.....	1,500.00
11. For personal expenses incident to foregoing, traveling expenses and expense of living in Vera Cruz and Jalapa for many months, extra expense of foremen and other men.....	5,000.00
Total.....	49,774.80

IN THE MATTER OF THE DEATH OF WILFORD O. ROBERTSON—COPY OF AFFIDAVIT OF
MRS. R. L. FISHER.

STATE OF CALIFORNIA,

County of San Diego, ss:

I, Esther Fisher, of lawful age, being first duly sworn, on my oath say:

On September 3, 1913, a party consisting of James Stempfle, William Brown, Wilford O. Robertson, my husband, R. S. Fisher, my daughter, Eloise Fisher, aged 6 years, and myself, also four Mexicans whose names are unknown to me, were traveling from the city of Durango, in the State of Durango, Republic of Mexico, on a journey to Mazatalan, in the State of Sinaloa, in the Republic of Mexico, having first obtained from the lawfully constituted authorities in the city of Durango proper passports for all the party for said journey. We traveled on horseback, and arrived at El Lobo in the State of Sinaloa about 4 o'clock p. m., on September 10, 1913.

At this place a Mexican by the name of Jesus Madrigal, a captain in charge of a number of soldiers, halted our party and demanded to see our passports; the passports were exhibited to him and he ordered us to pass on. We immediately resumed our journey and came to a certain place about one-half mile distant from El Lobo, where the road on which we were traveling turned sharply around a huge rock; at this point the said Jesus Madrigal and five armed soldiers stopped our entire party and took away by force from each one of the men in the party the rifles which they carried; after the rifles were taken from each man he was ordered to proceed. The captain fired several shots, two of which entered the body of Wilford O. Robertson, one of our party; one of the bullets taking effect in his neck and one in his shoulder, while one bullet passed through the hat of my husband, R. L. Fisher; neither he nor Mr. Robertson had fired. I was about 25 feet from Mr. Robertson at the time he was shot and reached him just as he fell to the ground; he said nothing other than "I am dying" and he died almost immediately. The captain and his soldiers immediately came up and robbed the body of a revolver, a rifle, a silver watch, field glasses, and cartridge belt.

I heard my husband ask the captain why he did not take the rifles from us at El Lobo, and the captain replied that he not did dare attack our party in the open, but had to wait until he could ambush them, as the Americans were dangerous people and he was afraid of them.

We buried Mr. Robertson on the same day, about 100 feet from the roadside. The captain and his armed soldiers left immediately after taking away Mr. Robertson's possessions, but came back again in about one and one-half hours later with a statement written in Spanish and which the captain and his five armed soldiers demanded should be signed by all of our party; I did not know what was in the statement, but with the others I was afraid to refuse to sign it, fearing bodily harm; I have understood later, however, that it contained a statement that Mr. Robertson shot first, which statement is not true.

My husband asked the captain for a written statement about the shooting of Mr. Robertson and some statement was given by the captain; I did not read it and do not know what it contained; I understand that it was forwarded to the American consul at Mazatalan.

Mrs. R. L. FISHER.

Subscribed and sworn to before me this September 24, 1914.

[SEAL.]

JEFFERSON K. STICKNEY,
Notary Public, San Diego County, Calif.

My term expires March 18, 1918.

IN THE MATTER OF THE DEATH OF WILFORD O. ROBERTSON; COPY OF AFFIDAVIT OF
H. BROWN.

STATE OF TEXAS,

County of Bexar.

I, B. H. Brown, at present temporarily in San Antonio, do solemnly swear that I am a citizen of the United States. I was born 59 years ago in the State of Wisconsin, but I claim Kingston, Ill., as my home. I am a miner, and for a number of years I have followed my occupation in the vicinity of Durango, Mexico. I have always registered with the American consul at Durango as an American citizen. I have known Wilford O. Robertson about 20 years and have worked in the gold mines about 150 miles a little southwest of Durango, known as the Joquixtle Gold Co., since February, 1913. Wilford O. Robertson was president of said company when I begun working for the company and up to the time of his death, which occurred on September 10, 1913, at a place called El Lobo.

On September 2, 1913, Wilford O. Robertson procured from the secretary of the governor of Durango one joint pass for himself and myself and two mozos to go to Mazatalan. We started on the next day. With us on our trip was Joe Stempfle, R. L. Fisher, and Mrs. Esther Fisher, wife of R. L. Fisher, and a child of about 5 years of age, of Mr. and Mrs. Fisher's. Accompanying us were four Mexicans—Joe Alvarado, Francisco Alvarado, Accencion Castro—and another Mexican by the name of Juan Martinez. The two last named Mexicans were our mozos. The other two Mexicans named were companions of Fisher's, that is they accompanied Fisher without being employees of his. The distance from Durango to Mazatalan is about 200 miles. Mr. Fisher and Mr. Stempfle also had passes for themselves and their equipments, but their passes were issued by the Gen. Domingo Arrieta, the person who had control of the Mexican constitutional forces at Durango. We traveled on horse and mule back, and our equipments were carried on horse back. The condition of the roads over which we had to travel was such that our mode of travel was generally single file.

On September 10, I was leading the "train" and Wilford O. Robertson was bringing up the rear. Mrs. Fisher and her little girl was either with Mr. Robertson or very close to him. Fisher was somewhere near in the center of the "train." I say the "train" was about 300 yards long. At a point near El Lobo two Mexicans presented themselves at the side of the road and asked me about our passports. The Mexican who appeared to have authority stated that he was Jesus Madrigal. He inspected our passes and pronounced them all right, and we were permitted to proceed, at the same time he showed his commission from Domingo Arrieta. About three-quarters of a mile from this point at a rocky, hilly place in the trail, I found myself suddenly covered by five rifles in the hands of Mexican revolutionary soldiers who demanded that I give up my gun. They stated that they wanted our guns. They were informed that Madrigal who had just inspected our passes said they were all right. Then one of the party pointed to his breast and said, "I am Madrigal, and we have got to have your guns. Your passes are all right but they do not mention your guns, and if they did I would be compelled to take them as I have a lot of soldiers without guns." I asked then why they did not take our guns when they first halted us, and Madrigal said that the ground was open there and he saw that we would not be inclined to give up our guns, as he was afraid some one would get hurt if he attempted to take the guns then, and that he came to this ambuscade where the guns could be taken without danger. He and his men were behind rocks when I first saw them. Madrigal said there were a lot of other soldiers up at the house who did not have guns. They held their guns upon me continually and threatened me until I was compelled to drop my gun. I then hollowed back to the balance of the party to look out that they had taken our guns. They insisted that we immediately proceed which we finally did, and we did not proceed but a short distance when we heard a number of shots fired, I should say four or five. They appeared to come from Mauser rifles. I have heard these guns fired a great many times and I think I recognized the report of all of these guns, I then stopped and in a few minutes one of our mozos came riding up and said that they had killed "Don Guellermo" which in English means "Mr. William."

I then went back and found Mr. Robertson dead. From the time I was halted until the shots were fired I only saw Robertson once. Robertson was on his horse at that time, and seemed to be trying to get out at the side of the road. Robertson was at the time he was killed armed with a gun and a .45-caliber automatic revolver. Madrigal claimed that Robertson fired first with his revolver. I am satisfied that none of the reports that I heard came from his revolver, as I could easily distinguish the difference between the reports of this pistol and the Mauser rifle, which were the guns that Madrigal and his men had. Madrigal took all of our guns, cartridges, and Robertson's revolver. They also took Robertson's field glasses, gun, and silver watch. These field glasses I should judge to be worth about \$40 in gold. Robertson's revolver would cost about \$40 in the United States; it was worth more in Mexico; his rifle was worth about \$20 in gold. Robertson also had about \$50 worth of cartridges, which they took. The silver watch that Robertson had was worth about \$25 in gold. Mr. Fisher's gun that they took was worth about \$20 gold; Stempfle's gun was worth about \$20 gold. My gun was worth \$20 gold. We buried Robertson near the spot where he was killed and camped a short distance away that night. After Robertson was killed we requested of Madrigal a statement as to the cause of his death. Madrigal went up to a little house near by and brought back a statement. We told him that he would drive all sympathy of the Americans away by this kind of conduct, and he said it made no difference, "there will be intervention anyway." Madrigal demanded that we also make a statement in regard to Robertson's death. He prepared it without consulting us as to what it should contain and demanded that we sign it. My recollection is that in this statement it was stated that Robertson fired first. We considered that we were under duress, and so far as I am concerned, I did

not see Robertson fire a shot, and I am satisfied that he did not fire. Robertson was hit twice. One shot entered at the base of the right side of his neck and passed out under the left arm and the other entered the right shoulder lower down in the breast and passed out. The shots seemed to have been fired from rocks above, judging from the course of the bullets. Mrs. Fisher claimed at the time to have seen Robertson when he was shot, and that he did not fire a shot, but that he had his pistol in his hand and was off his horse. She said that she was the first to reach him, and that she asked him if he was hurt, and he told her he was dying; she protested to him, and she almost immediately heard the rattle in his throat, and he never spoke again. All of the conversation that we had with Madrigal on both occasions that I am testifying about were conducted in Spanish, but I am familiar with the language, and thoroughly understood what was said. Our passports and the statement that we signed, as well as the statement that he made, were also in Spanish. Madrigal gave his name as Jesus Madrigal. The general who issued Mr. Fisher's passes, and who was in control of the revolutionists at Durango was Domingo Arrieta. Madrigal told us that Domingo Arrieta told him to take all arms; that was in response to our statement that Domingo Arrieta had told us not to give up anything. We first reported the killing of Robertson to the Federal commander at Panuco, we next reported to the American consul at Mazatlan, and then we reported to the Red Cross authorities out at sea. I have been informed that Mr. and Mrs. Fisher's present address is 3804 Eighth Street, San Diego, Calif. I took possession of Robertson's watch, money, and papers, and delivered them to the American consul at Mazatlan. He turned them over to me, took a receipt for them, and instructed me to take them to the Rev. T. V. Neal at San Antonio, Tex., which I did.

B. H. BROWN.

STATE OF TEXAS,
County of Bexar:

The above affidavit was subscribed and sworn to before me this November 1, 1913.

[SEAL.]

T. J. MURRAY,
Notary Public, Bexar County, Tex.

IN THE MATTER OF THE DEATH OF WILFORD O. ROBERTSON, COPY OF AFFIDAVIT OF JOE STEMPFLE.

STATE OF TEXAS,
County of Bexar.

I, Joe Stempfle, at present temporarily in San Antonio, Tex., do solemnly swear that I am a citizen of the United States. I was born in Germany November 16, 1864, and was naturalized in 1886. I claim San Antonio as my home. I am a ranchman, followed my occupation in the vicinity of Durango, Mexico, about 12 or 13 years. I have known Wilford O. Robertson about 14 years and was with him at the time of his death, which occurred on September 10, 1913, at a place called El Lobo.

On September 2, 1913, I procured from Gen. Domingo Arrieta a pass for myself to go to Mazatlan. We started on the next day. With us on our trip was Wilford O. Robertson, B. H. Brown, R. L. Fisher, and Mrs. Esther Fisher, wife of R. L. Fisher, and a child, about 5 years of age, of Mr. and Mrs. Fisher's. Accompanying us were four Mexicans—Joe Alvarado, Francisco Alvarado, Accension Castro, and another Mexican by the name of Juan Martinez. The two last named Mexicans were mozos. The other two Mexicans named were companions of Fisher's, that is they accompanied Fisher without being employees of his. The distance from Durango to Mazatlan is about 200 miles. Wilford O. Robertson, Mr. Fisher, and B. H. Brown also had passes for themselves and their equipments. We traveled on horses and mule back and our equipments were carried on horseback. The condition of the road over which we had to travel was such that our mode of travel was generally single file. On September 10 Brown was leading "train." I came next and Wilford O. Robertson was bringing up the rear. Mrs. Fisher and her little girl were either with Mr. Robertson or very close to him. Fisher was somewhere in the center of the "train." The "train" was about 300 yards long. At a point near El Lobo two Mexicans presented themselves at the side of the road and asked about our passports. The Mexican who appeared to have the authority stated that he was Jesus Madrigal. He inspected our passes and pronounced them all right, and we were permitted to proceed, at the same time he showed his commission from Domingo Arrieta. About three-quarters of a mile from this point at a rocky, hilly place in the trail, Brown was suddenly covered by five rifles in the hands of Mexican revolutionary soldiers who demanded that we give up our guns. They stated that they wanted our guns. They were informed that Madrigal

who had just inspected our passes said they were all right. Then one of the party pointed to his breast and said "I am Madrigal and we have got to have your guns. Your passes are all right, but they do not mention your guns, and if they did, I would be compelled to take them as I have a lot of soldiers without guns." They were asked then why they did not take our guns when they first halted us, and Madrigal said that the ground was open there and he saw that we would not be inclined to give up our guns, and he was afraid some one would get hurt if he attempted to take the guns there and that he came to this ambushade where the guns could be taken without danger. He and his men were behind rocks when we saw them. Madrigal said that there were a lot of soldiers up at the house who did not have guns. They held their guns upon our party continually and threatened us until we were compelled to drop our guns. They insisted that we immediately proceed which we finally did and we did not proceed but a short distance when we heard a number of shots fired. I should say four or five. They appeared to come from mazar rifles. I have heard these guns fired a great many times and think I recognize the report of all of these guns. I then stopped and in a few minutes one of the mozos came riding up and said they have killed "Don Guellermo" which in English means "Mr. William." I then went back and found Robertson dead. Robertson was at the time he was killed armed with a gun and a .45 caliber automatic revolver. Madrigal claimed that Robertson fired first with his revolver. I am satisfied that none of the reports that I heard came from his revolver, as I could easily distinguish the difference between the reports of this pistol and the mazar rifle which were the guns that Madrigal and his men had. Madrigal took all of our guns, cartridges and Robertson's revolver. They also took Robertson's field glasses, gun and silver watch. These field glasses I should judge to be worth about \$40 in gold. Robertson's revolver would cost about \$40 in the United States; it was worth more in Mexico; his rifle was worth about \$20 in gold. Robertson also had about \$50 worth of cartridges which they took. The silver watch that Robertson had was worth about \$25 in gold. Mr. Fisher's gun that they took was worth about \$20 in gold and Stempfle's gun that they took was worth about \$20 in gold; Brown's gun was worth about \$20 in gold.

We buried Robertson near the spot where he was killed, and camped a short distance away that night. After Robertson was killed we requested of Madrigal a statement as to the cause of his death. Madrigal went up to a little house near by and brought back a statement. We told him that he would drive all of the sympathy of the Americans away by this kind of conduct and he said it made no difference, there would be intervention anyway. Madrigal demanded that we also make a statement in regard to Robertson's death. He prepared it without consulting us as to what it should contain and demanded that we sign it. I refused to sign. My recollection is that in the statement, it was stated that Robertson fired first. So far as I am concerned, I did not see Robertson fire a shot, and I am satisfied that he did not fire. Robertson was hit twice. One shot entered at the base of the right side of his neck and passed out under the left arm, and the other in the right shoulder and passed out lower down in the breast. The shots seem to have been fired from rocks above, judging from course of the bullets. Mrs. Fisher claimed at the time to have seen Mr. Robertson when he was shot; and that he did not fire a shot, but that he had his pistol in his hand and was off of his horse. She said that she was the first to reach him, and she asked him if he was hurt, and he told her that he was dying, she protested to him and she almost immediately heard the rattle in his throat, and he never spoke again. All of the conversation that we had with Madrigal on both occasions that I am testifying about were conducted in Spanish, but I am familiar with the language and thoroughly understood what was said, our passports and the statement that some of the party signed, as well as the statement that he made were also in Spanish. Madrigal gave his name as Jesus Madrigal, the general who issued Mr. Fisher's passport and who was in control of the revolutionists at Durango was Domingo Arrieta. Madrigal told Brown that Domingo Arrieta told him to take all arms, that was in response to our statement that Domingo had told us not to give up anything. I did not hear this. We first reported the killing of Robertson to the Federal commander at Panuco, we next reported to the American consul at Mazatlan, and then we reported to the Red Cross authorities at sea. I have been informed that Mr. and Mrs. Fisher's present address is 3894 Eighth Street, San Diego, Calif.

JOE STEMPFLE.

Subscribed and sworn to before me this 1st day of November, 1913.

[SEAL.]

T. J. MURRAY,
Notary Public, Bexar County, Tex.

OFFICIAL CONFIDENTIAL REPORT.

Radical socialism movement in Mexico: Evidently strong efforts are being made throughout Mexico to incite the labor elements to adopt a more radical policy toward destruction of all property and property rights. It seems that these movements are more or less openly propitiated by officials appointed by Carranza.

Conditions in Yucatan: Socialism of a more radical character has invaded the State of Yucatan and is destroying order, law, and wealth. The authorities now controlling the situation in Yucatan are carrying their radical campaign in the name of the Mexican Government, but it is in reality they themselves who are looking for their own interests. The abuses have assumed such a degree of violence that the Federal Government of Mexico is considering the federalization of the port of Progreso in order to close up that source of infection. Luis Cabrera has been sent by the Government of Carranza to Yucatan to improve the situation there. Robert Habermann is a prominent Socialist worker of Merida, Yucatan.

Conditions in Vera Cruz: The activities of I. W. W. in the State of Vera Cruz are taking remarkable impetus. The leaders, Pedro O. Pantoja, Julio Cadenas, Vicente Cana, and Espigmenecio Ocampo, have formed several committees to spread bolshevist theories and to induce workmen to strike.

I. W. W. activities in Mexico: Propaganda is spreading in Mexico to precipitate strikes in that Republic, and also in other Latin-American countries. Mexican workmen in Tampico, following suggestions from I. W. W. organizations in New York, have appointed a committee to plan out strikes in the various oil-producing camps.

Information has been received from Mexican labor headquarters that they have received requests from various American labor groups asking the moral support of Mexican labor unions to aid in securing freedom of Socialists held in prison in the United States for opposing the draft and obstructing military operations of the United States.

Influence of the Rand school of bolshevism: The workers pro-amnesty committee of United States has asked funds from Mexico labor committees with the purpose of continuing their propaganda to obtain the freedom of the socialistic leaders now in prison in the United States. The Mexico labor committees, following suggestions from above-mentioned American labor organization, have named a commission to organize sympathetic strikes in the petroleum camps. The petroleum companies have refused to pay workers according to the new labor law. The labor unions of Vera Cruz, Tamaulipas, Orizaba, etc., are in sympathy with the intended strike movements.

The above mentioned workers pro-amnesty committee is really an I.W.W. defense union, constituted of 170 union committees under the auspices of the Rand School, 5 East Fifteenth Street, New York, in December, 1918. This sympathy of Tampico workers is illustrative of the influence of the Rand School of Bolshevism.

Lynn A. E. Gale: It seems that this American writer, now in Mexico City actively working in radical socialistic propaganda, has lately got in trouble, as it can be inferred from the leaflets that he has distributed refuting accusation made against him. Previously to his coming to Mexico City, he worked for several years for Martin H. Glynn, in the capitol and on Glynn's newspaper in Albany, and also wrote for the American of New York. When called by his draft board, he fled to Mexico. He claims to have the support and personal friendship of President Carranza.

Gale is openly teaching the tenets of bolshevism, and by means of his magazine is particularly dangerous. He expects to spread the doctrines of bolshevism from one end of the Americas to the other. He is a strong internationalist beside making his living by the practice of occultism in various forms, including some form of mental healing, for which his wife, who seems to be ably seconding him, requests that people send their incurable cases that they may be treated.

Gale is looking forward to the lifting of the censorship that he may obtain close communication with friends of his own belief here in the United States.

The connection of the Bolshevikist propaganda with the German is perhaps shown more clearly in the case of this man than in any other. For Gale is a confessed pro-German, and is connected with the Servicio Aleman.

Some people in Mexico recognize in Gale a slacker, Bolshevik and blackmailer, who may soon be deported from Mexico. Gale is well known as running a pro-Bolshevist magazine in Mexico City. His future deportation has already been announced.

In an intercepted letter from Gale to his parents Gale says that he has recently won two law-suits against persons who tried to damage his business, getting \$75 damages in the first case and \$375 in the second case. He states his intention of suing a leading newspaper of Mexico City (El Universal) which recently exposed him, and states that he expects to recover heavy damages. The writer adds that the publicity did

him no harm and was a good advertisement. He finishes his letter with the following statement: "My relations are so cordial with the Government that I don't care what soreheads say or do. Besides having the personal audience with President Carranza which I mentioned to you, I have seen the secretary of state several times and have established very close connections with several members of the Government. They all give me the most respectful and friendly consideration."

In an intercepted letter Gale informs his father and mother that "Business is good and things are progressing nicely." The writer adds: "A newspaper has been attacking me and published a malicious letter from George Stafford of the Times (Times Review of Oxford, N. Y.), and I am suing the paper (El Universal) for \$100,000 damages."

El Universal, F. F. Palavicini, editor, announced the probable deportation of Gale, according to the famous article 33 of the new Mexican constitution, which gives the executive the authority to expel any pernicious foreigner or any one interfering in the political affairs of the country.

Bolsheviki propaganda: Socialist propaganda of the most radical character is steadily increasing in Mexico. Among the men who are spreading revolutionary propaganda the following are widely known: Ezequiel Salcedo, Ignacio Rodriguez, Juan Rico, Rosendo Salazar, Sr. Decuina, Ricardo Trevino, P. Nacho, and Tomas Valenzuela.

The special report on "Social Unrest in Mexico," states: "It is positively known that at the opening of the last session of the congress in Mexico City, Bolsheviki literature has been distributed in the government building, such distribution being sanctioned by President Carranza."

There is a continuous stream of dangerous literature being sent from Mexico to South American countries. It usually comes into this country through the ports of Eagle Pass and Laredo, some little amount coming through El Paso, and is intended to proceed to New Orleans or New York for transmittal to destination. Apparently there is a close tie binding the agitators in the Latin American countries with these in Mexico, and they are all united in their conclusions that the Government and the people of the United States have decided to exploit the peoples of the Latin American countries for their own use and profit, and that therefore it is the clear duty of all Latin Americans to fight the activities of the United States with all their strength.

El Demócrata of Mexico City, published a cartoon of a great American octopus seated at the Capital of Washington and stretching its tentacles throughout all the Americas, and an article, by Ramon Sanchez Arreola, of the Mexican consulate, at Los Angeles, Calif., containing a hymn to La Raza, explaining that La Raza (The Race) represents the Spanish and twenty Latin American countries all joined together in opposition to the United States. They intend to oppose a Spanish-American solidarity against Pan Americanism of the Monroe doctrine. It is stated that President Carranza is at the head of the organization.

There is a propaganda that comes from Europe, both from German sources and Spanish, the German propaganda seeming to come through Spanish means and dealing principally with anti-American ideas at the present time. The strictly Spanish propaganda seems to be the Pan-Spanish ideal as opposed to the Pan-American.

Besides this there is the propaganda originating in Mexico itself which is disseminated throughout all the Spanish-American countries. This propaganda is both anti-American and Bolshevik.

The press in Mexico City published a cablegram from Geneva, Switzerland, dated March 28, 1918, stating that the meeting in Moscow of the Communist International Congress is trying to formulate a general project for bolshevik movements simultaneously in Europe and America and that in a secret meeting it was resolved to postpone the realization of their purposes until the signing of peace.

It is stated that the members of the congress believe that the revolutionary efforts will meet with great success as soon as the censorship will be removed in all countries.

The special report on "Pan-Socialism in Spanish-Speaking Countries" states: "In Mexico the situation is of especial interest to the United States, since there is a constant Socialist exchange between them, and there are American agitators in Mexico. It has been stated that bolshevism in Mexico is inevitable. A working socialist system has been established in Yucatan, which the Government seems to be trying to control. Gen. Salvador Alvarado and Luis Cabrera seem to have some control of both labor and capital; the supposed control by other factions seems purely revolutionary. Here also it is often said that Germans are furthering the bolshevik propaganda; it is known that the German periodicals are currying favor with the labor element. The I. W. W. is organized in Mexico, Jose Angel Hernandez being the leading spirit and Pedro Corria, or Coria, an active agent; Habermann, an Ameri-

can, is leading in Yucatan, and Lynn Gale, an American, is making active bolshevik press propaganda. There are movements afoot to unite all factions, both political and socialistic."

In the States of Tamaulipas, Vera Cruz, Tabasco, Chiapas, Campeche, and Yucatan legislative measures of decided radical nature are being imposed or are in way of being imposed.

It is apparent that the drift in Mexico is toward radical legislation, the confiscation of property, and the repudiation of foreign debts.

The repudiation of the Mexican foreign debt was openly discussed by Mexican Government officials, and it seems that such proceeding would undoubtedly please quite a number of Mexicans, among them leading officials of the actual Government.

Lately reports state that Luis Cabrera, speaking in regard to the payment of the Mexican foreign debt, gave the following public statement:

"If we had the cash in our treasury to resume payments on the national debt to-day we should prefer to wait. Our creditors have waited patiently and they will continue patient. We prefer to await the outcome of adjustments of problems of world-wide importance that may affect us directly. We must know what the world in general will do with its obligations, how many nations will repudiate their debts, and how many will trim their obligations to figures compatible with their income."

OFFICIAL REPORT TO ADJUTANT GENERAL OF TEXAS AND THIS COMMITTEE BY
CAPT. HANSON.

A society for the furtherance of their political influence called the "Verband Deutscher Reichsangehöriger" (Union of Subjects of the German Empire). It has headquarters in the Boker Building in Mexico City and branches in 31 Mexican cities and towns. Its first chief is R. Von Lubeck who lives at 28 Calle Berlin, and offices in the Boker Building. He was formerly a merchant of the firm of Boker & Co. Fritz Sommer, son of a leading jeweler of Mexico City, is the official organizer; travels around the country perfecting the work. This society is closely working with the 50 German officers in the Mexican army; they are also closely associated with Col. del Campo of the Corps of Engineers and with an anti-American Spaniard named Guardiola, the editor of *La Regeneration of Satillo*. Other German or pro-German Mexican papers are *Boletín de Guerra*, *Informaciones Inalambricos*, *Cronica Alemania*, *Deutsch Zeitung von Mexico*, and *El Democrata* and *El Defensa*, and in Monterey the *El Herald Europeo*.

Manuel Ugarte, who is a Portuguese mulatto, is exceptionally anti-American. There is only about 50 German officers in the Carranza army, the most prominent is Gen. Maximiliano Klos, of the Artillery. Carranza's nephew, Col. Salinas, chief of aviation and ammunition, is also strong anti-American; this man bought 6,000,000 cartridges from Salvador in May, 1917; he is a graduate of St. John Manillaus of New York and Troy Poletec, and only about 26 years old. There are now two members of this society in San Antonio; one is Dr. Boese, who was at one time connected with the State University and who is married to a Mexican woman in Monterey, and who the United States Government will not give a passport to; also he lives at ———; and a German named Buschard, who lives at ———. Buschard is a brother of the Mexican consul at Monterey; is a great friend of a Mexican named Ornelas, who lives at ———. These people are closely hooked up with De La Pena, ex-governor of Coahuila, who lives at 317 Nacoloches Street, and his son-in-law, who is a German, Oscar Francke, lives at 325 Madison Street, and a lawyer named ———, who lives at 418 West Elmira Street, and a Gen. Villareal, who lives at 306 North Flores; and a Gen. Alvarado, who lives at 317 Nacoloches. I am sending you herewith a photo of this bunch. Please return same when it has served your purpose. ——— is an American and Pena's mozo, who is on the extreme right and who lives at 306 Cass Avenue; his name is Torre. Pena has an office at room 71, Menger Hotel. The United States Government has also refused Buschard a passport. Buschard made inquiries about explosives, Hercules Powder Co., and same was referred to Peden I. & S. Co. here in October; there is also a Santos Boreno, of San Luis Potosi, and a Gen. Borellas.

MAY 24, 1920.

The chairman directed that there be printed in the record at this point a letter under date of May 18, 1920, signed Robert H. Murray, inclosing an affidavit of same date made by said Robert H. Murray

before the vice-consul of the United States at Mexico City. Said letter and affidavit follows, viz:

MAY 18, 1920.

MY DEAR SENATOR: It looks now as if it would be impossible for me to go north, or rather, get to Washington before you finish up with your committee work. So I am sending the inclosed affidavit, which I ask you to be good enough to incorporate in the proceedings of the committee. You will appreciate my reluctance to have the books closed without something going on record to offset Buckley's attack upon me.

I took off a carbon of a letter which I have just finished, and send it on. There may be something in it to interest you. Kindly treat it and its contents as confidential to yourself.

With kindest regards, believe me,
Always, sincerely, yours,

ROBERT H. MURRAY.

HON. ALBERT B. FALL,
Washington, D. C.

P. S.—If you communicate with me, please do so in care of the embassy here, via the Department of State's weekly sealed pouch; not in the open mail.

* * * * *

MAY 18, 1920.

Before me this 18th day of May, in the year 1920, appeared the deponent, Robert H. Murray, who being duly sworn deposes and says:

That he is an American citizen by birth, residing at present at la Jalapa, 8, in the city of Mexico, Mexico; that on or about December 6, in the year 1919, one William Frank Buckley, appeared before the subcommittee on investigation of Mexican affairs of the United States Senate, and under oath uttered certain malicious and untruthful statements concerning the deponent, which statements are reported in part 6 of the proceedings of said subcommittee, on pages 773-774 and 829-830, stigmatizing the deponent as an "unscrupulous American—and an interested propagandist of the Carranza government;" and also in connection with a statement relating to the Carranza government of Mexico, as being one of the "provokers of intervention;" that at various times, notably on February 15, February 18, and February 21, in the year 1920, the deponent in writing entered a general and specific denial of all of the false and malicious statements of the said Buckley, demanded that the said Buckley be summoned immediately to appear before the said subcommittee and submit any and all evidence in support of his allegations against the deponent; that the said Buckley be required to furnish the said subcommittee with the name or names of any persons, or person whom he might know to be in possession of any evidence in support of his false and malicious statements; that unless the said Buckley succeeded in proving his allegations that such portions of his testimony containing them be stricken out of and expunged from the record, and that the said Buckley be disciplined by the said subcommittee for supplying it under oath with false, libelous, malicious, and perjurious testimony; that for reasons well understood by the said subcommittee, which reasons are due to no fault or lack of diligence on the part of the deponent, up to the 11th day of April last, when the deponent through urgent necessity was compelled temporarily to leave the United States and return to Mexico, it had not seemed possible for the subcommittee to accede to the deponent's requests; that owing to what now seems to be the impossibility that the deponent will be able to return to the United States before the said subcommittee closes its sessions and appear personally before it, he takes this means of formally and under oath denying wholly and without reservation all of the false, malicious, libelous, and perjurious statements herein quoted which were uttered by the said Buckley concerning him and all other statements of similar character which may have been or may be uttered by the said Buckley, or by any other person; that the deponent takes this method of formally presenting his denial in order that it may be entered on the records of the said subcommittee, and also of respectfully requesting as a measure of fairness and justice, that unless Buckley offers adequate proof of his false, malicious, libelous, and perjurious statements the deponent, said statements be ordered stricken out of and expunged from the record of the said subcommittee.

ROBERT H. MURRAY.

Subscribed and sworn to before me on this the 18th day of May, 1920, at Mexico City, Mexico.

[SEAL.]

C. C. SHANKS,
Vice Consul of the United States of America at Mexico City, Mexico.

Service No. 3449.

The committee regret that any controversy should have arisen before this committee touching a personal matter and have heretofore excluded such personalities.

On February 27, 1920, the chairman of the committee, answering a communication from Mr. Murray, through a letter addressed to that gentleman at New York City, used the following language:

I regret that Mr. Buckley should have made a statement against you or affecting your character in any way or your conduct in such a way that you think it necessary to have Mr. Buckley brought back before the committee to confront you.

You may rest assured, however, that as soon as it is reasonably possible for me to get around to it, you shall have every opportunity to take exactly such action as you care to take, either by coming before the committee and testifying or having Mr. Buckley questioned by yourself or your attorney as to the foundation for the statements which he made.

It did not suit the convenience of, nor was it possible for, Mr. Murray on one hand to meet the committee at Los Angeles, or other points along the border, nor to be present at any hearing of the full committee in the city of Washington after the date of Mr. Buckley's testimony.

Neither did it suit the convenience of, nor was it possible for, the committee to hold a hearing aside from the hearings arranged in their regular itinerary at which Mr. Murray could be present.

For the above reasons, and as it has been the intention of the committee to give every person an opportunity to testify or make a statement before it, we have decided to print Mr. Murray's letter and affidavit.

The committee are thoroughly impressed with the value of the general testimony of Mr. Buckley, and with the care and painstaking effort which he has displayed in accumulating the vast amount of valuable data upon events, facts, etc., as given by him in his testimony in part 6 of these hearings.

The committee is aware, however, that differences have arisen between Americans with reference to acts of Americans in Mexico, and it has not been concerned with such differences in conducting its hearings.

We can readily understand that Mr. Buckley, testifying truthfully and at the same time judging individuals and their acts from his point of view, may have inadvertently done injury to Mr. Murray in the testimony which he gave. Mr. Murray was, of course, entitled to his day in court, and while the committee do not care to give publicity to the expressions used by either in criticism of the other, it would have given Mr. Murray the opportunity asked to testify concerning the matter in controversy in open hearing, and as this has so far been impossible without expression from the committee, which is entirely unnecessary, further than above set forth, it has taken the action indicated in printing Mr. Murray's letter and affidavit.

INVESTIGATION OF MEXICAN AFFAIRS

HEARING

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

SIXTY-SIXTH CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 106

DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS
OF THE UNITED STATES IN MEXICO

PARTIAL REPORT OF COMMITTEE, ABSTRACTS OF TESTIMONY,
AND INDEX

PART 23

Printed for the use of the Committee on Foreign Relations



WASHINGTON
GOVERNMENT PRINTING OFFICE
1920

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INVESTIGATION OF MEXICAN AFFAIRS.

PARTIAL REPORT OF COMMITTEE.

The committee was appointed under Senate resolution 106, for the purpose of investigating and reporting upon certain facts, matters, and suggestions with reference to *Mexican affairs* as affecting American citizens and American property rights; the relations between the two countries, etc.

[Senate resolution 106.]

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, is authorized and directed to investigate the matter of damages and outrages suffered by citizens of the United States in the Republic of Mexico, including the number of citizens of the United States who have been killed or have suffered personal outrages in Mexico, and the amount of proper indemnities for such murders and outrages; the quantity of damages suffered on account of the destruction, confiscation, and larceny of personal property and the confiscation and deprivation of the use of lands and the destruction of improvements thereon; the number of citizens of the United States residing in Mexico at the time Porfirio Diaz retired from the Presidency of Mexico, and the number of citizens of the United States at present residing in Mexico, and the nature and amount of their present holdings and properties in said country; and in general any and all acts of the Government of Mexico and its citizens in derogation of the rights of the United States or of its citizens; and for this purpose to sit at any time or place during the sessions of Congress or during recess and with authority to subpoena such witnesses and documents as may be necessary, and to make a report of its findings in the premises to the Senate; and the said committee shall further investigate and report to the Senate what if any, measures should be taken to prevent a recurrence of such outrages.

The subcommittee appointed under this resolution consists of Senators Albert B. Fall, of New Mexico, chairman; Frank B. Brandegee, of Connecticut; and Marcus A. Smith, of Arizona.

The committee organized in the city of Washington on the 8th day of August, 1919.

Among its assistants and employees, appointed by the committee, were the following:

Francis J. Kearful, ex-Assistant Attorney General of the United States.

Maj. Dan M. Jackson, clerk, resigned from the office of the Judge Advocate General to serve with the committee.

Mr. Henry O. Flipper, Spanish translator, historian, and thoroughly familiar with Mexican law, residence, El Paso, Tex., as translator and interpreter.

Capt. W. M. Hanson, investigator, captain of senior company Texas Rangers, furloughed by Gov. Hobby, of Texas, in order to serve with the committee.

Gus T. Jones, investigator, special agent Department of Justice, El Paso district, given furlough in order to assist the committee.

Capt. George E. Hyde, investigator, assigned by the Chief of Military Intelligence, War Department, to assist the committee.

Estelle Stewart, stenographer and clerk.

Harry G. Clunn, stenographer and clerk.

Later, Mary C. Early, clerk to committee, in place of Maj. Dan M. Jackson.

In addition to the above regular employees, special confidential investigators were in the employ of the committee.

The clerical force of the chairman also gave a great deal of time to the affairs of the committee.

The committee held its first hearing in Washington on Monday, September 8, 1919.

Hearings have been held in Washington, New York, El Paso, Laredo, Brownsville, and San Antonio, Tex.; Tucson and Nogales, Ariz.; and Los Angeles and San Diego, Calif.

The committee in its investigations have had hearings at the places aforesaid, and at its first meeting authorized its assistant, Judge Francis J. Kearful, to examine witnesses and take evidence in behalf of the committee, and the same authority was conferred upon Investigators Capt. W. M. Hanson and Gus T. Jones.

By resolution it was agreed that either member of the committee might act for the committee wherever he should be from time to time in conducting hearings, etc.

TRAVEL.

One member of the committee in the conduct of the investigations, accompanied by one or more other members and also by one or more of the investigators and assistants, has traveled in taking testimony, etc., more than 12,000 miles.

STATE DEPARTMENT.

Immediately after the appointment of the committee the Secretary of State of the United States was notified by the chairman of such appointment and the general objects of the investigation and was requested to cooperate with the committee in such investigation.

From time to time special requests were made of the Secretary of State for specific papers, data, and information, and it is with great pleasure that the committee reports cheerful cooperation between the Department of State and the committee and expresses its appreciation of the courtesy with which the requests of the committee have been treated, and gratitude for the very great assistance rendered the committee by the department.

MILITARY INTELLIGENCE.

Following a request of the committee the Chief of Military Intelligence, United States Army, designated Capt. George E. Hyde to assist the committee in its investigation, and Capt. Hyde accompanied the committee to various border points, attending hearings and rendering assistance in its investigation.

To the local intelligence officers along the border at San Antonio, El Paso, Nogales, and other points the committee is especially indebted for their very efficient cooperation, advice, and assistance.

TREASURY DEPARTMENT.

In response to requests made by the committee upon the Treasury Department for permission to examine records in the office of different collectors, etc., such permission was immediately granted, and through same valuable data and information was obtained.

DEPARTMENT OF JUSTICE.

Not alone through the courtesy of the department through the Chief of the Bureau of Investigation and district representative, Charles E. Brenniman, in furnishing Gus T. Jones, but through many other evidences of cooperation, this department rendered most efficient service to the committee.

IMMIGRATION DEPARTMENT.

Officers of the Immigration Department along the border cooperated with the committee and rendered it very material aid in its work.

Francis J. Kearful severed his connection with the committee by presenting his resignation to the chairman on April 14, effective May 6, 1920, to attend to personal business.

Maj. Dan M. Jackson resigned as clerk on April 1, effective May 1, 1920, to resume the practice of law.

While the services of these gentlemen were of very great benefit to the committee, in the taking of testimony, it was deprived of their assistance in the compilation of this report.

TESTIMONY.

The committee has examined and taken the evidence of 257 witnesses, of which number the evidence of 52 was taken in executive session; the record of which, together with the documentary proof, embraces approximately 5,000 pages of the report.

REPORT.

The CHAIRMAN COMMITTEE ON FOREIGN RELATIONS,
United States Senate:

Your committee heretofore appointed under Senate resolution 106, for the purpose of conducting certain investigations more specifically set forth in the resolution itself, beg leave at this time to make a report of their labors, investigations, and conclusions based thereupon.

You are respectfully referred to the preliminary statement preceding this report, and made a portion of same, as to the organization and method of operation of the committee.

Under the resolution as drawn, the committee proceeded with its investigations, construing the duties imposed upon it to be embraced generally under the following specific heads:

- I. Number of American citizens who have been killed.**
- II. Number of American citizens who have suffered personal outrages.**
- III. Amount of proper indemnity for such murders.**
- IV. Amount of proper indemnity for outrages.**
- V. Quantity of damages suffered on account of the destruction, confiscation, and larceny of personal property and the confiscation and deprivation of the use of lands and the destruction of improvements thereon.**
- VI. Number of American citizens residing in Mexico at the time Porfirio Diaz retired from the Presidency of Mexico.**
- VII. Number of American citizens residing in Mexico at present.**
- VIII. Nature and amount of present holdings and properties in Mexico of citizens of the United States.**
- IX. Generally, any and all acts of the Government of Mexico and its citizens in derogation of the rights of the United States or of its citizens.**
- X. What, if any, measures should be taken to prevent a recurrence of such outrages, etc.**

In presenting a detailed report, however, the committee have thought best to transpose the subjects as set out in the foregoing list, and report first upon Nos. V and VII, to wit:

- (A) Number of American citizens residing in Mexico at the time Porfirio Diaz retired from the presidency of Mexico.**
- (B) Number of American citizens at present residing in Mexico.**

At the outset of its investigation as to the number of Americans residing in Mexico at the period of the overthrow of the Diaz government, the committee was confronted with the difficulty of obtaining any reliable data whatsoever from Mexican sources because of the very well recognized fact that no correct census of the Mexican, Indian, or any other population has ever been taken by the Mexican Government. Of course, attempts to take a census have been made from time to time, but the results of such attempts have generally been recognized as of little or no value by those acquainted with Mexico and its population. From no Mexican data obtainable has it been possible even to estimate the number of Americans reported in Mexico.

Consular offices have made more or less full reports from time to time upon various matters connected with American investments in Mexico, and incidentally from some particular locality there have been attempts to estimate the number of Americans in such consular district.

The general opinion of Americans who had been in Mexico prior to 1911 and who are best acquainted with the country, has been to the effect that there were, at the time of the overthrow of Diaz, 60,000 Americans in the entire Republic. Of course this would not include those merely visiting Mexico or some State or city therein from time to time and remaining a few days or a few months, but this general estimate would be that of the actual resident American population in the Republic.

The testimony in this case shows through the estimate of those who should be best informed (for instance, that of Mr. Henry Lane Wilson, United States ambassador to Mexico at the period mentioned, pt. 15, p. 2249), that there were then 75,000 Americans, including transients, in the Republic of Mexico.

Mr. Wilson, referring to such population and to the occupation of Americans in Mexico, estimates that there were then 2,000 Americans on the railways; probably 5,000 engaged in mining, and possibly 8,000 engaged in educational work and residing in the country for reasons of health, diversion, or investment, etc.

The investigation conducted by this committee would indicate that there were very many more farmers in the Republic of Mexico than estimated by Mr. Wilson; in fact, it is shown by such testimony, from those entirely familiar with the particular subject, that in certain agricultural colonies alone, in the States of Chihuahua and Sonora in the north, to wit:

The Colonies of Dublan,
Juarez,
Pacheco,
Garcia,
Chuichupa,
Diaz,
Morelos, etc.

There were more than four thousand (4,000) Americans engaged in agriculture at the time referred to.

In addition to the foregoing are the American colonies of—

Atascador,
Camacho,
Columbus,
Chemal,
Colonia,
Medina,
Manuel,
Rio Verde,
San Dieguito,
Santa Lucrecia,
San Pedro,
Sinaloa-Sonora,
Valles,
Victoria,

or a total number of families in all colonies at the date mentioned of approximately three thousand (3,000), averaging five (5) persons each.

The evidence would also show that aside from those mentioned as engaged in agriculture in the colonies or groups of families, Americans were settled in practically every State in the Republic, in larger or smaller numbers, engaged in sheep, cattle, and horse raising; and in agriculture, and agriculture in connection with stock raising; in plantations and ranches and small farms throughout the different valleys and agricultural districts, raising sugar, coffee, tropical fruits of all kinds, and, in the higher altitudes, in raising potatoes, wheat, and crops of like character.

The evidence shows that these Americans had taken into the Republic of Mexico, in practically every instance testified to, improved breeds of stock, improved and up-to-date agricultural implements of all kinds, and also that they were engaged not only in farming by their own labor and that of their own families, but that they were employing large numbers of Mexicans in such labor. From the evidence before us, the committee deem themselves justified in venturing the assertion that for every American engaged in agriculture and stock raising in Mexico, there were on an average at least five Mexicans employed by such Americans.

The committee from the evidence which they have obtained, such information being embraced in the testimony herewith reported, estimates that at the time of the overthrow of Diaz there were more than 15,000 Americans residing permanently and cultivating lands on small holdings, as distinguished from plantations and grazing-stock ranches, producing crops and raising stock in Mexico.

INDIVIDUAL AMERICANS IN OTHER OCCUPATIONS.

The Americans in Mexico, in addition to the occupations mentioned—that is to say, those engaged in agriculture, mining, and rail-roading—were engaged in the development of the other resources of Mexico in every State in the Republic.

They were engaged in the construction of irrigation enterprises upon a small scale and of a private character; some upon a much larger, and some upon an enormous scale, endeavoring to put in cultivation hundreds of thousands of acres of land which could not

be cultivated except by the construction of dams, canals, locks, or other irrigation works, including reservoirs for the storage of water, etc.

Not only hundreds, but thousands, of Americans were employed in such work, both skilled and common labor, in construction and working for wages; others in overseeing and teaching the ignorant Mexican laborers; others, of course, in keeping accounts, commissaries, etc. Other Americans were engaged in developing water power; developing electric lighting plants furnishing power to the mines, mills, and for other purposes throughout the Republic; and those engaged in this work were not only employing and teaching vast numbers of Mexican laborers but were also employing Americans both as workmen and as foremen in all such enterprises.

Americans from 1906 to 1910 had carried the first sawmills into the northern portion of Mexico, packing same over the mountain trails upon mule back, and later constructing roads over which to transport heavier and better machinery; establishing up-to-date band mills, dry kilns, etc., with a daily capacity running into the hundreds of thousands of feet of lumber.

In these enterprises, likewise, large numbers of Mexicans were employed under the direction of a very large number of skilled American workmen, and working with them were Americans engaged in common labor.

American oil drillers had drilled every well producing oil in Mexico; had set up every rig; had put together every piece of machinery; had set up practically every hoist upon every mine, and erected the boilers for the making of steam.

It is needless to attempt to describe here the various enterprises in which Americans were engaged, except to convey some proper idea of the total number of Americans residing in Mexico at the time of the Diaz overthrow.

Again, to sum up; the committee think it safe to say that the aggregate of American population in Mexico in 1910-11 was fully that fixed by ex-Ambassador Wilson, that is to say, 75,000.

The investigation by the committee and the testimony taken, justify the committee in saying that there are not more than 12,000 at the present time in all these enterprises.

In answer to a request for specific information upon this subject, the State Department recently handed the committee a report from American consuls, of date September 16, 1919, by which it appears that there were at that date 11,864 Americans in the different consular districts in Mexico.

Of this number 4,000 are reported in the Tampico district, while in 1910 it is well known that there were not more than 1,200 Americans in the same district.

AMERICANS DID NOT REGISTER AT CONSULATES.

Prior to 1910, or to the overthrow of Diaz, not one American in three, operating or residing in the Republic of Mexico, ever recorded himself at the American consulate or was known to the American consul unless he became acquainted with him socially or called upon the consul for the verification of a deed or an instrument executed in Mexico concerning interests or property in the United States.

Americans going into Mexico across the border sought no passports and exhibited none, but traveled back and forth as freely as if the boundary line did not exist, except as they came in contact with the customs officers on either side of the line.

The consequence was that, however efficient the consul, in no single consulate in the Republic from the years, at least, 1884 to 1910 was it possible for the consul to have knowledge of the number of Americans in his district unless that number was very few and he was brought in personal contact with them.

When Americans were ordered out from time to time, from the year 1912 down to the present, at intervals of a few months, by their benevolent and protective Government at home, it has been suggested to them that they could go to the consul and leave a list of their property.

INCREASE OF POPULATION, TAMPICO DISTRICT.

It will be remembered that oil development in Mexico dates from about the year 1910, and, as hereinbefore stated, by paying taxes to the Carranza Government, however so often the amount of such taxes might be illegally raised, and by paying for protection to "Pelaez" or some other patriotic collector in the outlying districts, American oil companies at and around Tampico have been enabled to furnish approximately one-third of the oil used by the Allies in winning the war, and by extraordinary efforts in the face of most stupendous difficulties and at enormous additional expense are continuing, to some extent, to meet the increased needs for gasoline and oils in the economic development of this country.

Thus by their efforts they have been able to secure the services of additional Americans and have thus increased the American population of the Tampico consular district from 1,200 to 4,000.

An American who knows Mexico, and has known it for 20 years or more, when asked how many Americans he thinks remain in Mexico, will almost invariably reply, "Not more than 8,000." Such American has not considered the increase in the American population at Tampico, due to the causes just stated, and therefore when such increase in population is added to his figures his guess or estimate is approximately correct.

- (A) NUMBER OF AMERICAN CITIZENS WHO HAVE BEEN KILLED IN MEXICO.**
(B) NUMBER WHO HAVE BEEN KILLED IN THE UNITED STATES THROUGH ATTACKS OF RAIDING PARTIES FROM MEXICO OR THROUGH SHOTS FIRED ACROSS THE BORDER INTO THE UNITED STATES.

Again the committee were compelled to attempt to overcome difficulties, which can not readily be imagined by those not familiar with occurrences in Mexico during the last 10 years, in attempting to obtain entirely definite and reliable information upon which to report the number of Americans who have been killed in Mexico during the period mentioned; that is to say, from 1910 to the date of this report.

On September 9, 1919, after the appointment of your committee, and in answer to its request, the State Department furnished us with the number of "Claims filed for the alleged killing of American citizens, 73."

The committee, after devoting several months to the taking of individual testimony and to the comparison of same, together with the data furnished by the State Department and such other reliable data, documentary and otherwise, as it has been able to procure, can finally report definitely that not fewer than 461 Americans (see pp. A, B-I, this report) have been killed in Mexico owing to revolutionary disturbances in that country or during the period of such revolutionary disturbances, which, it is unnecessary to say here, have been continuous since 1910-11 to the present time.

You are respectfully referred to pages B-I of this report for an itemized list containing names and other data concerning said deaths and in confirmation of this report.

(B) NUMBER OF AMERICAN CITIZENS KILLED ON AMERICAN SOIL THROUGH ATTACKS BY RAIDING MEXICANS

Or by shots fired across the international boundary by Mexicans from Mexico, number, 126; as will be seen by the summary accompanying this report on page A. ✓

A large number of Americans who lost their lives within the State of Texas, as herein reported and more specifically set forth on pages A, J, K, were killed in the carrying out of what is known as the "plan of San Diego," which will be hereafter referred to, and during the period which was declared by the Supreme Court of the State of Texas, in the Arce case, on April 17, 1918, to be a period of war between the Carranza recognized de facto government of Mexico, and the United States of America.

Through the decision rendered in this case it became necessary for officers in charge of prisoners convicted of murder in the lower courts, to turn such prisoners loose and allow them to find their way back, or to escort them in safety, to the international boundary and to seek sanctuary for their crimes in the Republic of Mexico.

The large number of those killed in New Mexico, were killed during the Columbus raid in March, 1916, when followers of Pancho Villa led, as the evidence in the trial of some of his associates shows, by that redoubtable chieftain in person, in the dead hours of night, attacked American citizens in their homes in a town situated 3 miles from the international boundary and supposed to be guarded from danger by American troops encamped at the town.

The greater number of those citizens reported as killed in the State of Arizona, were killed during supposed battles between the contending forces upon Mexican soil, by shots fired from the Mexican side, while pursuing their peaceful avocations in the streets of their own cities, in a State of the American Union.

Of those so killed in the State of Arizona, the larger number were killed and wounded in the streets of Naco, where a street of ordinary width marks the dividing line between Sonora and Arizona.

American troops were stationed in and around the American town, for what purpose is not shown in the evidence except by the sworn testimony of Capt. Wheeler, sheriff of Cochise County, Ariz., and others. (See pt. 12, p. 1873.) This evidence discloses the fact that Wheeler was informed by the officer in command of American troops that should there be an attempt by himself or his posse or by the use of State troops to interfere with either or both Mexican

factions for the purpose of saving lives of American citizens on American soil that, much to the regret of such officer, who delivered this ultimatum with tears running down his cheeks, he, the sheriff and his posse, or State troops to be sent at his request when attempting such purpose, would be arrested by the United States troops under command of the American officer in pursuance of his orders to that effect.

NUMBER OF AMERICAN CITIZENS WHO HAVE SUFFERED PERSONAL OUTRAGES IN MEXICO DURING THE PERIOD 1910 TO DATE.

Again, the difficulties which confronted the committee in the attempt to secure data of a reliable character which it might be justified in presenting in answer to the last above direction were almost insurmountable. As some of these difficulties will be hereafter more fully referred to only a few may now be necessarily mentioned, to wit:

First. Americans who have been humiliated and insulted and assaulted in a very large number of cases have continued to reside in Mexico, or having removed therefrom, have been so overwhelmed by loss of their life's savings that a more or less slight personal injury has never been referred to, and after a short period of time has come to be considered an entirely unimportant matter.

Second. As will hereafter be shown, the Mexican Government, through all its consuls and the embassy and by proclamation both in Mexico and the United States, warned all persons who might expect or desire to volunteer testimony before the committee, or whom the committee might desire to summon, that no such witness testifying before this committee would be allowed to return to the Republic of Mexico.

These instructions were of an official character (see pt. 12, p. 1837, of testimony) issued by the foreign office of Mexico and were observed by Mexican consuls located in all the cities of the United States, and particularly those along the border line between Mexico and this country.

All Mexican citizens or former Mexicans, fugitives or otherwise, in this country were by proclamations (see p. 1185 of testimony) coming from Mexico warned that should they give evidence before this committee they would be regarded as traitors to their own country.

In the statement furnished us on September 9, 1919, by the Department of State, and heretofore referred to and printed as a part of this report (p. 90), it will be seen that "Claims filed for all injuries to the person number 97."

From the evidence taken by the committee, documentary and by way of sworn testimony of witnesses, the committee are enabled to report, as will be seen by the summary (p. A in this report), 198 cases of personal injury.

AMOUNT OF PROPER INDEMNITY FOR MURDERS.

Of course it has been impossible for the committee to arrive at an amount which might be considered by a court, or by a claims commission, as the proper or just amount of compensation for the death of any individual.

The report of the State Department (p. 90 herein) shows that as before stated, 73 claims for damages for killing American citizens, have been filed with that department in 48 of which the amount of damages is set forth and the total amount of damage in said 48 cases is \$2,317,375.

A simple calculation will show that the average amount of damage claimed in each case would approximate \$50,000.

Under a joint resolution of Congress, approved August 9, 1912, a committee of United States Army officers was appointed to ascertain and report among other things the amount of damages for the killing of Americans on American soil by firing across the international line at Douglas, Ariz., and El Paso, Tex., in April and May, 1911.

Among those claiming damages were many who were not American citizens and many of the claims were for personal injuries not resulting in death.

Of the three American citizens killed, claims of whose heirs were proved up, were those of Celia Griffiths, for death of husband; A. R. Chandler, for death of son; and Joseph W. Harrington, for death of brother.

In the Griffiths case the commission assessed the damages at \$15,000. One of the commissioners, however, recommended the amount of \$32,000.

In the Chandler case the commission recommended \$12,000, one of the members recommending \$22,000.

In the Harrington case the commission recommended \$15,000, one of the members recommending \$25,000.

It may be interesting to note here that concerning the cases just referred to the Government of the United States declined to make diplomatic representations or other demands for the payment of damages, but did notify the claimants that their claims might be filed with the State Department or ambassador in Mexico City, who would transmit them to the foreign office in Mexico City to be dealt with as the Mexicans saw fit, at least for the time being.

Claimants were later notified that Mexico had appointed a consul, a Mr. Llorente, and a counsel, Mr. Richardson, to consider these claims at El Paso, Tex., and Douglas, Ariz., and that such claimants might present their claims, if they so desired, at such points.

That claimants did submit their claims to the parties mentioned, although doing so under strong protest filed with our State Department.

The result was, in the Griffiths case, for example, that the consul, Llorente, announced that Mexico would recommend damage in the amount of \$2,000 and no more; that his reason for figuring this sum was the precedent established by the United States in the case of a Mexican killed while fleeing from an officer who had him under arrest on American soil, with proper warrant charging him with a felony and who, in the endeavor to recapture his escaped prisoner, was compelled to kill him. Claimants were politely informed that no more would be paid for an innocent American going about his business in the streets of his own city on American soil than had been received by Mexico for the death of a Mexican criminal fleeing from an officer who had arrested him.

It may also be interesting to note that neither Mr. Llorente nor the Mexican Government ever offered to pay the sum of \$2,000 for the death of Griffiths.

Very recently the Congress of the United States has appropriated the sum of \$71,000 for the payment of injury and death claims as assessed by this commission and the amounts so appropriated have been distributed to the proper parties.

Thus by the action of this commission in two cases \$15,000 was assessed in each for death, and \$12,000 in the third, or an average of \$14,000. However, sums of \$22,000, \$25,000, and \$32,000 were recommended by some members of the commission, or an average of \$26,500 in each case.

To your committee it would appear that the maximum amount payable under any circumstances should be accorded the heirs and representatives of those Americans residing or being in Mexico conducting themselves as peaceful, law-abiding citizens, who without provocation or cause were murdered.

Thus the committee feel justified in stating that the aggregate amount of damage for the death of Americans, both those in Mexico and those who lost their lives on American soil under the circumstances described, should be in each case not less than \$25,000, or a total of \$14,675,000.

DAMAGES FOR PERSONAL INJURIES.

It will be discovered by reference to page 90, containing the data furnished by the State Department, that 97 claims in which damages have been fixed are on file with that department and that the total of such damages claimed is \$1,476,629, or an average of approximately \$17,000 in each case.

None of these personal injury cases have been paid except by the United States Government through the appropriation of \$71,000 above referred to and with the further exception of one claim which was sued upon and paid in the amount of \$4,000 by the Mexican consul, the attorney for the claimant in this case being at that time an assistant United States district attorney.

In so far as the committee is informed no death claim has been paid nor presented by this Government with demand for payment except the

**CLAIM OF THE HEIRS OF JOHN B. MACMANUS, PRESENTED BY
WILLIAM J. BRYAN AND PAID BY PANCHE VILLA AND ZAPATA
WHILE IN POWER IN MEXICO CITY.**

NOT PURPOSE OF COMMITTEE TO DETAIL INDIVIDUAL HORRORS.

It is not the purpose of this committee to recite individual cases of outrage nor through any other method to attempt to arouse the passion of the American people, but we suggest that in the quiet and peace of their own domicile members of the committee and others should take part 7, page 956, and read the story of Mrs. Susan Moore and her experience at Columbus, N. Mex.

Here this fine American woman, her house raided at night by the Villa bandits was held by two of them and surrounded by a mob of

jeering, yelling villains while she saw her husband shot to death in her presence and within 3 feet of her person, her rings torn from her fingers and herself wounded.

Read the testimony of Miss Anita Whatley (part 8, p. 1083), a delicate little American girl helping to support her invalid father and family, dragged from her bed in the city of Parral in the dead hours of night and threatened with death unless she disclosed the hiding place of money; carried to the street and surrounded by brutes, one of whom sawed at her toes in the endeavor to compel her to disclose where the money was. Identifying the leader of the band, she says he was turned loose without any punishment. She remained in Mexico only to witness the loss of everything which represented the savings of her family, some of whom she is now attempting to support through a position which she holds with the department of education of the State of Texas. X

Read the testimony of Mrs. Sturgis, to be found in part 7, page 919 of the record, and imagine how you would feel were this one of the women of your family who endured the dreadful experiences related in this simple tale.

Read the experience of Mrs. James Carney, part 10, page 1506, and picture to yourself a little woman accustomed to all the luxury which wealth might give her and later to the comforts of the salary earned by her husband as superintendent of large constructions at Durango; she now earning a living for herself delivering messages for the Western Union Telegraph Co. on the streets of El Paso, Tex., while her husband is among those who have disappeared from off the face of the earth and nothing known of the circumstances except that he left Durango, with other Americans, in attempting to make his escape from the bandits by endeavoring to reach the coast, 150 kilometers distant. L

Now, remember that for years American Army and American officers have been placed along the border under strict orders to prevent any American going across the line into Mexico with arms of any character, and picture to yourself the following occurrences:

A brilliantly lighted banquet hall in a great hotel in the city of El Paso, Tex.; an assembly of gentlemen met to do honor to a great Mexican hero, Gen. Alvaro Obregon; compliments exchanged and assurances of renewed esteem and affection given; among the guests several mining men, including Charles R. Watson, superintendent of the Cusi Mining Co., who is desirous of returning to Chihuahua to reopen his mines.

Gen. Obregon urged Americans to go back and "gave the Americans very warm invitations to return to Mexico and open their industries there, stating that it was necessary for the peace of the country that workmen be given work" and he "reiterated a number of times the invitation that Americans go and open up mines, smelters, and other interests."

Then follow Watson and his 16 companions as they seek assurances of protection from their own Government and secure "salvo con-

ductos," or safe conducts, from the Mexican authorities. They proceed to Chihuahua where, upon the insistence of some of the members of the expedition, an armed guard is requested of the commanding general, who informs them that 1,000 soldiers have been sent out ahead and that there is no possibility of danger.

Of course, they are not armed, because their country would not allow them, even if the Mexicans permitted it, to carry arms into Mexico.

Their train is stopped within a few miles of Chihuahua and these men are slaughtered like cattle and their naked bodies placed upon or strewn along the railroad right of way for American friends to seek out and identify a few days later.

Then to see what one American citizen not compelled to trust to the protection of his country nor to that of Mexicans, but relying upon himself can do, read the story of the fight at Brite's ranch on Christmas Eve, 1917.

See an old Texas ranger and a grandfather with his wife and daughters preparing a Christmas tree for his grandchildren; see the old frontiersman next morning attacked by Mexican bandits, first outside the house, with his Winchester killing two officers, and then with the assistance of his son, armed only with a shotgun loaded with bird shot, account for five more Mexicans and compel them to sue for terms of peace that they might escape his deadly fire and return without further fatalities to the Mexican side of the river.

QUANTITY OF DAMAGES SUFFERED ON ACCOUNT OF THE DESTRUCTION, CONFISCATION, AND LARCENY OF PERSONAL PROPERTY AND THE CONFISCATION AND DEPRIVATION OF THE USE OF LANDS AND THE DESTRUCTION OF IMPROVEMENTS THEREON.

Before endeavoring to answer the above question it will be well enough to review as briefly as possible, the activities of Americans in the Republic of Mexico prior to the year 1910, from such official and other data as the committee have been able to secure upon the subject.

The great period of development in Mexico began with the years 1880-1882, and the period of American investment might be said to date subsequent to the year 1885.

In 1902 Consul General Andrew D. Barlow made a report to the State Department, in which among other things he said:

Five hundred million dollars gold is, in round figures, the amount of American capital invested in Mexico by 1,117 American companies, firms and individuals.

This amount has practically all been invested in the past quarter of a century, and about one-half of it has been invested within the past five years.

The impetus given to Mexico's industries by this enormous augmentation of the Nation's working capital accounts in no small degree for the great industrial progress which it has made during the past 25 years. With Mexico buying 56 per cent of all her imports from the United States and selling 80 per cent of all her exports to the United States, and with this enormous investment of American capital in Mexico, the commercial bond between the sister Republics is one that can hardly be broken. It is one, too, that is constantly growing in strength. The flow of American capital into this Republic has apparently only begun. Each year, Mexico buys more from, and sells more to, the United States. The community of interest is growing daily, and certainly makes for harmony between the two nations.

Gen. Barlow states that he was assisted in making his report by 33 consular officers of the United States in Mexico outside of the city; by 5 consular officers of Great Britain, and 5 consular officers of Germany in places where the United States had no consular representatives, and by a score of well informed individuals throughout the Republic.

Among other things it appears from this report that about 70 per cent of the total American investment of Mexico is in railroads.

He states that all of the important railroads in Mexico with the exception of the Interoceanic, running between Mexico City and Vera Cruz; the Mexican Railway, also running between the City of Mexico and Vera Cruz which is controlled by English capital; and the National Tehuantepec Railway, then under reconstruction by S. Pearson & Son, were owned by American capital.

He calls attention to the fact that \$158,999,979.45 represents the amount which had actually been paid out up to date of his report, for the construction and equipment of the Mexican Central Railroad alone, and this by American capital.

He reports that in haciendas, ranches, and farms American capital was then invested to the extent of \$28,000,000.

That \$80,000,000 of American money was invested in mines.

That the fourth heaviest investment of American capital was then in manufactories and foundries.

Next in importance was the investment in banks, trust companies, investment companies, and money exchanges.

Next in order came assay offices, chemical laboratories, ore buyers, ore testers, smelters, and refiners.

He calls attention to the fact that all of Mexico's large smelters are operated by American capital.

He states that Americans have "of late" been building many electric light and power plants, gas plants, waterworks plants, telephone systems, and similar plants.

Gen. Barlow goes fully into the investments in the different States of the Republic, and his report is a very interesting one. It may be found commencing on page 433, Commercial Relations of the United States, volume 1, 1902.

At about the date of the outbreak of the Madero revolution a statement of the wealth of Mexico and the ownership of property therein was prepared by Marion Letcher, American consul at Chihuahua, and filed with our State Department. This statement was known to Mr. Letcher and is well known to others not to be correct, but will give some idea of the situation, and it is mainly correct as to percentages:

Valuations.

Class.	American.	English.	French.	Mexican.	All other.
Railway stocks.....	\$235,464,000	\$81,237,800		\$125,440,000	\$75,000
Railway bonds.....	408,926,000	87,680,000	\$17,000,000	12,275,000	38,535,380
Bank stocks.....	7,850,000	5,000,000	31,000,000	31,950,000	3,250,000
Bank deposits.....	22,700,000			161,963,042	18,540,000
Mines.....	223,000,000	43,600,000	5,000,000	7,500,000	7,830,000
Smelters.....	26,500,000			7,200,000	3,000,000
National bonds.....	52,000,000	67,000,000	60,000,000	21,000,000	
Timberlands.....	8,100,000	10,300,000		5,600,000	750,000
Ranches.....	3,150,000	2,700,000		14,000,000	
Farms.....	960,000	760,000		47,000,000	1,250,000
Live stock.....	9,000,000			47,450,000	3,800,000
Houses and personal.....	4,500,000	680,000		127,020,000	2,760,000
Cotton mills.....		450,000	19,000,000	6,000,000	4,750,000
Soap factories.....	1,200,000			2,780,000	3,600,000
Tobacco factories.....			3,238,000	4,712,000	895,000
Breweries.....	600,000		178,000	2,822,000	1,250,000
Factories.....	9,600,000	2,780,000		3,270,200	3,000,000
Public utilities.....	760,000	8,000,000		5,155,000	275,000
Stores:					
Wholesale.....	2,700,000	110,000	7,000,000	2,800,000	14,270,000
Retail.....	1,780,000	30,000	680,000	71,235,000	2,175,000
Oil business.....	15,000,000	10,000,000		650,000	
Rubber industry.....	15,000,000			4,500,000	2,500,000
Professional.....	3,600,000	850,000		1,560,000	1,100,000
Insurance.....	4,000,000			2,000,000	3,500,000
Theaters.....	20,000			1,575,000	500,000
Hotels.....	260,000			1,730,000	710,000
Institutions.....	1,200,000	125,000	350,000	74,000,000	200,000
Total.....	1,057,770,000	321,302,800	143,446,000	792,187,242	118,535,380

NOTE.—From the testimony taken and other evidence in the possession of the committee, the committee reports that the total amount of American investments in Mexico in 1911 were more nearly \$1,500,000,000 than the total set forth in the column above, \$1,057,770,000.

TOTAL WEALTH AND APPROXIMATE PROPORTIONS, AMERICAN, BRITISH, MEXICAN.

The total wealth of Mexico as it appears in this table was \$2,434,241,422, of which Americans owned \$1,057,770,000; English, \$321,302,800; and the Mexicans, \$793,187,242. The figures given in the table as to British ownership should, from the best information in my possession, be increased from \$321,000,000 to at least \$800,000,000. The figures for American investment in mines should be increased very largely.

Mexican, largely in lands, town lots, etc.—Of the Mexican ownership over one-half was in lands, town lots, bank deposits, and bank stocks.

American investments are in tax-paying, labor-employing operations.—American investments in individual agriculture holdings are hereinafter set forth. The balance of the American investments was in railroads, mines, factories, oil, rubber, and property of this class, i. e., producing and labor-employing, tax-paying business—with the exception of about \$50,000,000 in national bonds.

The Americans owned 78 per cent of the mines, 72 per cent of the smelters, 58 per cent of the oil, 68 per cent of the rubber business.

Railroads—American and English capital—Eighty-eight per cent are railroads.—The total railroad mileage was about 16,000 miles, in which American and English capital was invested (to extent about 88 per cent) and which their capitalists had constructed to that extent.

The Letcher table shows only an investment of about \$3,150,000 in ranches and about \$13,000,000 in timberlands, farms, houses and lots, and personal property.

This statement is entirely incorrect as specific testimony before this committee shows that more than 3,000 American families of an average of five persons each owned their own homes either in colonies or in separate locations, all of whom were engaged in agriculture and that the actual average loss to such families has been approximately \$10,000 each, or a total in this one item of \$30,000,000, not taking into consideration the value of the land nor of the houses and other improvements which could not or have not been destroyed.

In this connection we are not considering the very large amounts invested in cattle ranches devoted purely to stock raising, nor in estimating this loss have we included the loss upon rubber, coffee, sugar, and other like large plantations.

ADDITIONAL LOSSES IN RAILROADS, ETC.

The testimony will show that in addition to the \$30,000,000 lost by these smaller agriculturists who have been driven out of Mexico and a comparatively few of whom have been able to return, the loss to the national railroads of Mexico have been, at a conservative estimate, \$80,000,000 through destruction not only of rolling stock but through the destruction of the actual corpus of the property itself by the burning of the bridges, destruction of railroad stations, sidings, etc., the tearing up of steel and burning it, so that when straightened for temporary use it is unsafe for traffic.

The total mileage of the railroads in Mexico in 1910-11 was approximately 24,600 kilometers, of which a little less than 14,000 kilometers, is included in the national roads, as to the loss upon which direct testimony was given, showing as just stated, damage to the amount of \$80,000,000. Other testimony shows that the remaining 10,000 kilometers not known as the national roads have suffered at least an equal amount of damage per kilometer; that is to say, approximately \$60,000,000 to such roads, or a total of railroad loss alone in the amount of \$140,000,000; that is to say, that it would require at least \$140,000,000 now to place the twenty-four thousand plus kilometers of railways in Mexico in the condition in which they were found in 1910-11.

DAMAGES TO OIL AND MINING COMPANIES ONLY ESTIMATED.

In so far as the testimony adduced before the committee is concerned, we have little or none and have sought none concerning the actual loss to oil companies through confiscation of their properties; through damage to their business; through destruction of their wells and consequent loss of oil, nor upon any other account whatsoever; except that the testimony shows the cash loss to pay rolls and by virtue of robberies of actual cash to these companies within the last few years, has amounted to more than \$233,833.

The mining companies, in so far as the committee knows, have made no claims for damages through the State Department and few of their representatives have come before the committee except as upon page 1429, part 9, testified to.

Through other evidence the committee has knowledge not only of the closing down of producing mines due to revolutionary acts and

nability to get supplies, etc., but of the further fact that smelters, reduction works, improvements upon and around mines, mining machinery of all classes, etc., have been destroyed all over the Republic.

The closing down of an operating mine means not only loss of time and interest upon the investment, but aside from any actual destruction by vandalism means the filling of shafts with water, the caving in of underground works, decay of mine timbers, etc.

The committee are privately informed by one of the officials of a great American company engaged in mining and other development of like character in Mexico, that its losses have amounted to approximately \$25,000,000 during the last 10 years.

Another mining company in which more than 8,000 Americans are interested, has, we are informed, paid out approximately \$1,500,000 in blackmail or bribes to prevent destruction of millions of dollars worth of property invested in improvements, etc., in connection with its work.

DAMAGES OTHER PROPERTY.

Power lines have been cut; power plants destroyed; irrigation works dynamited; canals cut; factories burned; railroad and mining contractors and subcontractors' supplies, tools, stock, and equipment, etc., destroyed; banks, trust companies, investment companies, money exchanges, etc., looted of cash and put out of business; brokers, commission men, general agents, dentists, wholesale and retail merchants have lost their investments and as well their books of trade, implements of their profession, their stocks of merchandise, etc.

Those who have attempted to continue business by going back to their locations when temporary peace appeared to justify their return, have been held up and compelled to pay blackmail to every new bandit and tribute to every old one in their community.

The committee, however, have been particularly interested in and have largely confined their investigation to the losses of the individual American, which losses, in proportion to those of the large corporations or large capitalists, have been as 100 to 1.

The larger corporations, as shown by the evidence in the case, have been able, through the employment of Mexican officials, to secure even the use of an army for the protection of their properties, while the individuals or colonists located in an outlying district have been compelled to lose a life's savings and to witness the murder or outrage of their friends or their families.

Oil companies have been obliged to pay to Candido Aguilar, son-in-law of Carranza, first, ransom or blackmail or exactions for the protection of their properties, and when he was driven off have, through payments to Pelaez amounting to \$30,000 per month, been able to secure his protection against other bands as well as against Carranza.

American railroad conductors; firemen; locomotive engineers; brakemen and other railroad employees, in one instance alone to the number of 500, have been run out of Mexico never to return, with the total loss of all they might have invested in their homes in Guadalajara or elsewhere.

**CORPORATIONS PAYING FOR PROTECTION TO PROPERTY NOT ALWAYS
ABLE TO SECURE SAME FOR THEIR EMPLOYEES.**

Individuals in the employ of corporations have been robbed, mistreated, and murdered because protection extended to the corporation property proper was by the bandits not always extended to the individual in the employ of the corporation; and this notwithstanding the established fact that our corporations have done everything in their power to protect their employees, and to ransom them when seized by bandits.

MEXICAN PROPAGANDA.

Carranza propagandists in this country have filled the papers with attacks upon "predatory interests" who were seeking intervention in Mexico for selfish purposes.

Churches have resounded with denunciation from the pulpits of the same "predatory interests" who—

Desired to have not only the treasure of the United States poured out, but the blood of its sons spilled for the protection and accretion of their ill-gotten "dirty dollars" in the Republic of Mexico.

THIS COMMITTEE PRESENTS CASE OF INDIVIDUAL AMERICAN.

Where has the voice been lifted in behalf of the common, every day, homemaking, honest, industrious American with his family, teaching the Mexican modern methods of agriculture and handicraft, who has, while tied to a tree, seen his daughter raped and his wife disemboweled in his presence?

The country and the Congress of the United States having heard from those American interests who have been able to secure a hearing through the press and having heard from those good friends of Carranza who have been conscientiously or unconscientiously, sincerely or hypocritically, directing his propaganda and assisting in the expenditure of his funds set aside for propaganda purposes, this committee determined to present, as it is endeavoring to present, the case of the individual American who has received no protection from his Government and only through this medium can make his loss and his sufferings known to the public.

The summary of losses under this heading may be found by reference to page 89 of this report. The total thereof, as found in the evidence, is \$50,481,133. (See p. 89, summary total losses.)

**NATURE AND AMOUNT OF PRESENT HOLDINGS AND PROPERTIES
IN MEXICO OF CITIZENS OF THE UNITED STATES.**

The nature and amount of the present holdings of American citizens in Mexico can only be ascertained by reference to the facts hereinbefore submitted and by deducting the losses herein set forth, except in that, under the Mexican mining law, taxes upon mining property are payable every three months and same must be paid by the owner or his attorney in fact, in person, either in the City of Mexico or in the headquarters of the district in which his mine is situated.

Failing payment of such taxes within three months after same are due, title to the property is forfeited and anyone else whosoever can relocate same and take it over, together with any improvements of whatever kind or character attached to any portion of the property, including, of course, all development work, etc.

The law as to real estate in the different States provides also for the forfeiture of property for nonpayment of taxes.

The person who, or corporation which, has been able to secure an attorney, could change him whenever the Government changed, or secure a new attorney with every change of Government and thus have re-representation before the tax office, and being financially able to make the payments have been able to prevent legal forfeiture.

The individual prospector and small mine owner, living himself probably upon his mine in an inaccessible district in Mexico, if he lived to reach the coast or border, has been compelled to leave Mexico and lose his life's savings and work invested in his property, not having the money with which to employ an attorney on the ground; and not able to pay over and over, again and again, the amount of taxes claimed to be due as the tax collector came in or faded out of office every few days, has lost forever the title to his property.

Of course, it may be possible that if the American lives long enough to see some responsible government established in Mexico and to see an administration here in power which will endeavor to assist in enforcing his legal claims, some of these forfeitures may be set aside.

Of course, if the real estate owner enjoys the same good fortune, he may, before the weight of years has bowed his head too low—or possibly some heir to his misfortunes may—regain right to the possession of what was once an orange grove or a beautiful wheat field—not recognizable now because the orange trees have been chopped and burned, and its location, as well as that of the wheat field, grown up in cactus, cat claw, and mesquite.

GENERALLY ANY AND ALL ACTS OF THE GOVERNMENT OF MEXICO AND ITS CITIZENS IN DEROGATION OF THE RIGHTS OF THE UNITED STATES OR OF ITS CITIZENS.

In considering the above question it is necessary to separate the propositions and discuss the same under different heads:

First. The acts of the citizens of Mexico in "derogation" of the rights of citizens of the United States.

Second. The acts of the Mexican Government in "derogation" of the rights of American citizens.

Third. The acts of the Mexican Government in "derogation" of the rights of the Government of the United States.

Fourth. Where the fault lies, i. e., whether with the Mexican people or the Mexican Government, or with the American people or their Government, or with both the Mexican people and their Government and the American people and their Government, or either.

THE PEOPLE OF MEXICO AND THEIR GOVERNMENT.

We must first have a background before the detail of the picture can be made to stand out clearly.

Mexico is an Indian empire and not properly a Latin American country—although the Spanish, in one form or another, is the common language.

✶ We are attaching hereto a copy of the "Orozco y Berra Tribal (Indian) map of Mexico."

At first view this map would appear as though it were simply a map of the present political subdivisions of the so-called Mexican Republic. Closer inspection will show that it is intended to represent the territory of separate and distinct Indian families, with the name of each in Spanish, given in the proper geographical location.

Now, imagine a greater or lesser percentage of foreign blood, principally Spanish, mixed with this original 57 varieties of Indian blood, the Spanish blood not being renewed or restrengthened, but growing weaker from generation to generation, and one may dimly perceive the outlines of the racial problems of Mexico.

We urge you to read the following from "Mexico in 1827" by H. G. Ward, *chargé d'affaires* Great Britain in Mexico, 1825-1827; two volumes, London, 1828 (pp. 28 et seq.).

Before the revolution this population was divided into seven distinct castes.

1. The old Spaniards, designated as Gachupines, in the history of the civil wars.
2. The Creoles, or whites of pure European race, born in America, and regarded by the old Spaniards as natives.
3. The Indians, or indigenous copper-colored race.
4. The Mestizos, or mixed breed of whites and Indians, gradually merging into Creoles, as the cross with the Indian race became more remote.

5. The mulattoes, or descendants of whites and Negroes.
6. The Zambos, or Chinos, descendants of Negroes and Indians.
7. The African Negroes, either manumitted or slaves.

Of these castes, the three first and the last were pure, and gave rise, in their various combinations, to the others; which again were subdivided, ad infinitum, by names expressing the relation borne by each generation of its descendants to the white (quaterrooms, quinterooms, etc.), to which, as the ruling color, any approximation was desirable.

The principal seat of the white population of Mexico is the table land, toward the center of which the Indian race is likewise concentrated (in the intendancies of La Puebla, Mexico, Guanajuato, Oaxaca, and Valladolid) while the northern frontier is inhabited almost entirely by whites, and descendants of whites, before whom it is supposed that the Indian population must have retired, at the time of the conquest. In Durango, N. Mex., and the provincias internas, the pure Indian breed is almost unknown; in Sonora it is again found, because the conquerors there overtook the last tribes of the original inhabitants, who had not yet placed the River Gila (lat. 33 N.) between themselves and the Spanish arms. The coasts are inhabited, both to the east and west, by mulattoes and Zambos, or at least, by a race in which a mixture of African blood prevails. It was in these unhealthy regions that the slaves formerly imported into Mexico were principally employed, the natives of the table land being unable to resist the extreme heat of the climate.

They have multiplied there in an extraordinary manner, by intermarriage with the Indian race, and now form a mixed breed, admirably adapted to the *tierra caliente*, but not possessing, in appearance, the characteristics either of the New World, or of the Old.

The Mestizos (descendants of natives and Indians) are found in every part of the country; indeed, from the very small number of Spanish women who at first visited the New World, the great mass of the population has some mixture of Indian blood. Few of the middle classes (the lawyers, the Curas, or parochial clergy, the artisans, the smaller landed proprietors, and the soldiers) could prove themselves exempt from it; and now that a connection with the aborigines has ceased to be disadvantageous few attempt to deny it. In my sketch of the revolution, I always include this class under the denomination of Creoles; as sharing with the whites of pure Spanish descent the disadvantages of that privation of political rights, to which all natives were condemned, and feeling, in common with them, that enmity to the Gachupines (or old Spaniards) which the preference constantly accorded to them could not fail to excite.

Next to the pure Indians, whose number in 1803, was supposed to exceed two millions and a half, the Mestizos are the most numerous caste; it is, however, impossible to ascertain the exact proportion which they bear to the whole population, many of them being, as I have already stated, included amongst the pure whites, who were estimated, before the revolution, at 1,200,000, including from seventy to eighty thousand Europeans established in different parts of the country.

Of the mulattos, Zambos, and other mixed breeds, nothing certain is known.

It will be seen by this sketch that the population of New Spain is composed of very heterogeneous elements; indeed, the numberless shades of difference which exist amongst its inhabitants are not yet by any means correctly ascertained.

The Indians, for instance, who appear at first sight to form one great mass, comprising nearly two-fifths of the whole population, are divided and subdivided amongst themselves, in the most extraordinary manner.

They consist of various tribes, resembling each other in color and in some general characteristics, which seem to announce a common origin, but differing entirely in language, custom, and dress. No less than 20 different languages are known to be spoken in the Mexican territory, and many of these are not dialects, which may be traced to the same root, but differ as entirely as languages of Slavonic and Teutonic origin in Europe. Some possess letters which do not exist in others, and in most there is a difference of sound, which strikes even the most unpracticed ear. The low, guttural pronunciation of the Mexican or Aztec contrasts singularly with the sonorous Otomi,¹ which prevails in the neighboring State of Valladolid. and this again is said

¹Wherever the Aztec tongue is in use the letter "r" is unknown, while in the Otomi dialect it occurs almost in every word. Thus we have Popocatepetl, Istacchuatl, Tenochtitlan, and that unpronounceable word given by Humboldt and signifying "venerable priest, whom I cherish as a father," Nollaxomahuizteopixcatzin, all Aztec, and all without an "r;" while in Valladolid the prevailing names are Ocambaro, Puruundiro, Zitacuaro, and Cinapecuaro, in all of which "r" bears a prominent part.

to be totally unlike the dialect of some of the northern tribes. There is not, perhaps, a question better worthy of the consideration of philosophers than the elucidation of this extraordinary anomaly in the history of the Indian race; nothing is known of the mode in which America was peopled, except the fact that the tide of population has set constantly from north to south.

In Bulletin 44, United States Bureau of American Ethnology, "Indian Languages of Mexico and Central America," the map hereto attached is used as a basis, with the remark:

For Mexico, Orozco y Berra's map and conclusions are used as a basis, and it will be found, though the original authorities so far as accessible have been examined, that there has been occasion for but few and comparatively slight changes.

An examination of the map accompanying this bulletin will show 30 different distinct linguistic families of Indians, as established to the satisfaction of Thomas and Swanton, while perusal of the contents will disclose that approximately 20 to 30 more are in doubt as to whether they are distinct languages spoken by distinct and different races or tribes or whether they are mixtures of some of the other languages or offshoots or derivatives from same.

The index of linguistic families, tribes and settlements number approximately 850, as set forth on pages 101-108.

It is not necessary to cite other authorities here, but one of the most interesting works upon the subject is "The History of Mexico" by Francisco B. Clavigero, in two volumes, published in London, 1777. (English translation by Charles Cullen.)

Speaking generally, it is sufficient, as an illustration to call attention in passing to the great distinctive difference between the original Indian tribes of Chihuahua and Sonora to the Concho River, with those of the west coast through the State of Sinaloa, and to the Indians of the east coast and those of central and southern Mexico.

The Indians of the north and northwest were those of the Opata, Pima, "Tarahumar" families; of the Yaqui, Mayo families, and were as different and distinct from the Mayas of the south, the Mexicans of the valley, and others of central and eastern Mexico in everything except color, as are Negroes from whites, or, at the very least, as are the Japanese from the Chinese.

Very interesting testimony along this line has been offered by William Gates (part 19) and others.

A comparison of the political map of Mexico showing the different subdivisions as recognized to-day, and of the racial-tribal map of Orozco y Berra, will at once prove interesting as establishing the fact that the political subdivisions, although differing greatly in some respects, yet, in general, have followed very nearly the racial-tribal geographical divisions as agreed upon by ethnologists, linguists, and historians.

That this discussion is of more than general interest will be appreciated when present conditions in Mexico are considered and it is learned that the Army Intelligence Department of the United States War Department are constantly making such reports as of November 8, 15, 22, 29, December 13, 1919, etc., setting out in detail information as to the movements of the Yaqui Indians of Sonora and Sinaloa.

By reference to these reports it may be seen that a large percentage of the women and children of Yaquis are in the United States, and that on November 18 it was estimated that almost the entire force of 4,000 Yaqui Indians, reported at that date, might be converted into a fighting body if they possessed the necessary arms and ammunition.

That they were a constant menace to the Mexican Federal forces, who were concentrating around Nacozari, Moctezuma, and other places.

That at least 400 Yaquis were scattered in small bands in the neighborhood of these last-mentioned places.

That approximately 800 were under arms near Esperanza.

That it is necessary to carry heavier train guards on the Southern Pacific from Esperanza to Guaymas.

That altogether there were over 2,000 armed Yaquis in the State.

That in the latter part of November the Federal Government moved between 1,000 and 1,500 Federal Yaqui soldiers out of the State fearing they would join their tribesmen in attacks upon Federal forces.

That Mayo Indian soldiers were sent in to take the place of their cousins, the Yaquis, but that little confidence could be placed upon them in a campaign against the Yaquis.

That the Yaquis were constantly passing from the United States into Mexico with ammunition purchased at the various mining camps where they had been at work.

That Federal forces in the State on November 22 were inadequate to cope with the situation.

That on December 13 a large body of several hundred were said to be a short distance south of the international line and east of Nogales, while another large body was reported near Ajo, Ariz., both believed to be anxious to get into the United States for the purpose of securing ammunition, etc.

That for the first time in the history of Sonora Yaquis, as reported on November 29, had invaded the territory east of the Bavispe River in northeast Sonora.

That southwest of La Colorada region 500 Yaquis, under Chief Mori, were on the same date killing and robbing everywhere.

That Buenavista, formerly Sonoran capital; Cumaripa, Realito; and most of La Dura were on November 29 deserted and in ashes.

And most significant is the statement of November 22, and the statement of December 13, the former—

That the Yaquis seldom bother Americans when they can be distinguished from Mexicans, and the latter—

That since the increase of intervention talk, many Yaquis, well acquainted with Americans, have reiterated previous statements to the effect that, in the event of intervention, they may be counted on as friends of the United States; that, upon due official notice of intervention, they would lend the invading troops any assistance of which they were capable. They intimate that all they would ask in return for this assistance would be reasonable recognition of their claims to the Yaqui Valley territory and freedom from persecution by the Mexicans.

YAQUI PRONUNCIAMIENTO.

In the Army Intelligence daily report of May * * * 1920, is included as an appendix an appeal signed by Genls. Julian Cosari, Manuel Periac; First Capt. Victoriano Azul, Second Capt. Pipachola (chiefs of "bronco" Yaquis) to the townspeople of "Rio Chico" and "Movas."

This appeal recites among other things that "The Yaqui tribe informs you that"—

"Poor descendants of our kindred tribes, the Pimas, the Papagoes, and the Opatas are miserable and afflicted, oppressed by the tyrannical Government which is compelling us to kill one another. * * * These are men without an atom of conscience or the laws of humanity * * * This tribe must remain in revolt. If you wish peace with us, we also wish peace with you. * * * You must not hurt the Yaquis; then the Yaquis will not injure anyone, and so peace and tranquility will reign.

As long as the Government continues selling our race * * * and insists upon withholding our lands, the struggle will continue relentless and bitter. The Government is to blame for the men who take us by force to war, and it must be punished. * * * We seek an agreement only with all the poor who live by their daily toil here and outside the Government (as outlaws), formerly, in the time of Refugio Tanori, the leaders of the Pimas and Opatas in those times came, those people respected us and helped us to fight the invaders of our river as far as the Mayo River, and we did the same for them. Remembering these days, we invite you, if you so desire, to join with us, * * * and if you accept our humble proposition you will not need to flee when you see our people. * * * No confidence can be put in the Government, because the Government in the year 1916 past offered us peace and the restoration of our lands. We in all good faith believed that promise * * * and traveled to Lencho * * * and there we were awaiting the realization of this promise. While we slept the Government fell upon our camp, killing children, women, and old men. Such cruelty had never even been experienced in the time of Porfirio Diaz."

The date of this occurrence was May 25, 1917, at 4 o'clock in the morning.

"Now we are convinced that the Government has no word. * * * With such proofs, we care for no further arrangement with the Government, but with you, the poor of these towns, who always keep your word."

And this is the period, November and December, 1919, when the press of Mexico and its able assistants in this country were proclaiming that peace and order and law and prosperity prevailed over Mexico, and that Carranza had "made good."

SHORT SKETCH OF HISTORY OF MEXICO.

With this preliminary sketch of the population of Mexico, let us glance now at the history of that so-called Republic, or rather, at the chronological history of Mexico from the year 1810 down to the present year.

NORMAL MEXICO.

1810: September 15. Miguel Hidalgo y Costilla, together with Allende, Aldama, Abasolo, and other officers raised the "Grito," and proclaimed independence at Dolores, State of Guanajuato.

1811: May 21. Hidalgo captured at Acatita de Berjan. July 31. Shot at Chihuahua. Jose Maria Morelos y Pavon, a priest, took up the work of Hidalgo; defeated the Spaniards in numerous engagements and made much headway against them, capturing various cities and overran a large portion of the country.

1812: September 14. First Mexican Congress organized at Chilpancingo, State of Guerrero, with Morelos y Pavon as guiding spirit.

November 6. Declaration of independence issued and a constitution later adopted.

1813: Revolution continued, but Morelos finally captured.

1814: Fighting continues.

1815: December 22. Morelos shot by Spaniards in the City of Mexico.

1816 to 1821: Fighting continues with varying fortunes. Gens. Mina, Guerrero, and Bravo being the leading spirits among the revolutionists.

1821: January 10. Guerrero, chief of the revolutionary forces, and Gen. Agustin Iturbide, commanding the royalist forces, had conference and joined forces.

February 24. "Plan of Iguala" promulgated; Iturbide taking command of the joint forces and capturing Morelia, Puebla, Queretaro, and other towns.

September 27. Iturbide entered Mexico in triumph after treaty with viceroy Don Juan O'Donoju at Cordoba. A government was established consisting of a regency of three members with Iturbide as President.

1822: February 24. Congress met in the City of Mexico and elected Iturbide Emperor of Mexico. He was crowned on July 21 in the cathedral, with the title "Agustin I."

December 22. Santa Anna raised revolt at Veracruz and declared a republic. Desperate internecine war ensued, followed by anarchy and desolation, which, as historians say, continued for 50 years (until the period of Porfirio Diaz).

1823: May. Emperor Iturbide abdicated after his armies were defeated. A provisional government was established.

1824: Iturbide returned to Mexico, arrested, and on July 19 shot by order of the Tamaulipas Legislature, at the town of Padilla.

October 10. Gen. Guadalupe Victoria (real name Fernandez) became President of Mexico with a constitution. Victoria was really Mexico's first President.

1825: January 1. Congress met under the new constitution and England and the United States recognized the independence of Mexico.

1828 to 1830: Continued conflicts and contests, Pedraza, Guerrero, and Bustamente each claiming to be President. Santa Anna most prominent figure in all schemes and uprisings.

1833 to 1835: Civil war raged and anarchy reigning.

1835: Gen. Antonio Lopez de Santa Anna became dictator and abolished the constitution.

1936: Texas secedes and captures Santa Anna.

1837: Santa Anna returned to Mexico and resumed dictatorship.

1839: Bravo became President. Civil war, accompanied by anarchy.

1841 to 1844: Santa Anna again dictator.

1844: Santa Anna banished and Canalizo took his place.

1845: Herrera became President. Revolutions continued.

1846: January 2. Paredes became President by election of a Junta in Mexico City and left the government in the hands of Gen. Bravo in July, while he proceeded to lead the army against the United States.

1846: July. Paredes and Bravo overthrown and Mariano Salas becomes President and the constitution of 1824 reestablished.

1846: September 15. Santa Anna becomes President.

1847: War with the United States. Gomez Farias in charge of Government, Santa Anna leading the army. Santa Anna resigned office. Gomez Farias appointed Pedro Anaya acting President and again headed the army against United States forces. After defeat at Cerro Gordo, Santa Anna resumed control, later resigning the Presidency, and was succeeded—

1847: By Gen. Anaya, under election by Congress, holding office from November until

1848: January. Manuel de la Pena y Pena, president of the supreme court, became President.

1848: June 3. Gen. Jose Joaquin Herrera became President the second time.

1848: Treaty of peace, etc., signed. California and New Mexico ceded to the United States, in payment Mexico receiving \$15,000,000.

1850 to 1851: Gen. Mariano Arista elected President and installed—

1851: January 1.

1852: Juan Bautista Ceballos becomes President by congressional election following the exit of Arista. Ceballos dissolves Congress and elected Juan Mugica y Osorio, who declined to qualify, and Ceballos resigned the Presidency; Manuel Maria Lombardini was seated as acting President. Lombardini called an election for the purposes and

1853: April 15. Santa Anna again become President.

1853: Santa Anna, by proclamation, becomes perpetual dictator, December 16. Gen. Juan Alvarez immediately raised a revolution. Alvarez was a full-blood Indian and a patriot. The revolution continued, and Santa Anna escaped, leaving—

1855: August 9. A triumvirate government composed of the president of the supreme court and two generals. A few days later Gen. Romulo Diaz de la Vega became acting President by coup d'état and consent of the governing triumvirate.

1855: Gen. Martin Carrera became President, resigning within a month.

1855: Gen. Diaz de la Vega again became President.

1855: November 1. Representatives convened in Cuernavaca and elected Gen. Juan Alvarez, who became President. Alvarez reached the capital with a bodyguard of pure-blood Indians and retained them around him for protection.

1855: December. Alvarez resigned and Comonfort became President.

1856: Rupture with Spain.

1857: February 5. Gen. Comonfort again elected and declared President.

1857: December 11. Comonfort proclaimed himself dictator.

1858: Benito Juarez revolted. Revolution reigned supreme.

1858 to 1859: Zuloaga overthrew Comonfort and became President.

1858 to 1859: Miramon took Zuloaga's place and became President. Miramon overthrown and Zuloaga again became President.

1858: Juarez Government recognized by the United States.

1860: Benito Juarez captures capital and declares himself President.

1861: May. Benito Juarez elected and took office as constitutional President.

1861: October. Treaty between England, France, and Spain, known as the "Treaty of London," signed, under the provisions of which the three nations were to send naval and military forces to Mexico to seize ports and military positions on the coast, etc. The Government at Washington, being invited to take part, positively declined on the ground that it would pursue its usual policy of refraining from alliances with foreign powers.

1862: England and Spain withdrew their forces, but France continued the war.

1863: The French captured the City of Mexico and Maximilian accepted the offer of the Crown of Mexico.

1864: June. Maximilian crowned Emperor at Mexico City.

1865-1867: Juarez in revolution, but defeated on all sides. United States demanded the withdrawal of the French Army.

1867: Maximilian captured and shot at Queretaro by Juarez.

1868: Juarez proclaimed himself President.

1868-69: Revolutions followed pronunciamiento by Santa Anna and others.

1872: July 18. Sebastian Lerdo de Tejada succeeded Juarez, who died.

1873: New constitution adopted practically following the constitution of 1857.

1873-1875: Revolutions in various parts of the country.

1876: Sebastian Lerdo de Tejada overthrown.

ABNORMAL MEXICO.

1877: Gen. Porfirio Diaz became President.

In 1905, or just shortly prior thereto, William Jennings Bryan, recently Secretary of State of the United States, in a book published by him bearing the title *Under Other Flags*, page 202, referring to the administration of Porfirio Diaz, and to that great man, says:

The third great man produced by the Mexican Republic is the president. With the exception of one term he has been president since 1876, during which time he has shown wonderful ability, and it is doubtful if there is in the world to-day a chief executive of greater relative progress than the Mexican people have made under the administration of Porfirio Diaz.

Education has been promoted, law and order established, agriculture developed, commerce stimulated, and nearly every section of the country connected by railroad with the capital. While there are many able and strong men upon whom the mantle of President might worthily fall, he has been so remarkably successful and has such a hold upon all classes of people that he will doubtless remain at the head of the Government as long as he lives—the people would hardly consent to his withdrawal even if he desired to lay down the responsibilities of the position.

On pages 181-183 Mr. Bryan says:

I found * * * Fifth. That President Diaz is entirely deserving of the encomium bestowed upon him by his own people, by resident Americans, and by visitors. He has a genius for public affairs, understands the conditions and needs of his people, and has their confidence to a degree seldom enjoyed by an executive, either hereditary or elective.

On page 184, referring to education, he says:

"Mexico is making substantial progress in education. The public schools are free and attendance is compulsory. * * * In the State of Mexico the number of schools has increased more than 100 per cent within the last 10 years, and the number of pupils in attendance shows an equal increase. * * * It was our good fortune to be invited to witness the distribution of prizes for the schools of the Federal district. Nothing impressed me more than the scene here presented. President Diaz delivered the awards to several hundred boys and girls. The Indian and the Spaniard, the rich and the poor, all mingle together in the public schools and vie with each other for the prizes. The State not only furnishes instruction in the elementary branches, but provides industrial training for both boys and girls, normal schools for teachers, and professional schools for students of law and medicine. President Diaz recently quoted a remark by Von Moltke in praise of the German school-teacher and also pointed out the necessity for educated mothers. He recognizes, as did Jefferson, that popular education is vital in a republic, and largely through his efforts Mexico sees a yearly increase in the number of those who are capable of intelligent participation in government."

We are constantly being informed by recognized pr revolutionists, or pro-Carranza propagandists, that Diaz did nothing for education and left his people in the ignorance which he apparently wished them to remain in, the inference being that so long as they were without education they would be subservient to his will.

However mistaken Mr. Bryan may have been while Secretary of State, when endeavoring to deal, or to refrain from dealing with Mexico, statistics will prove the correctness of his statement made in 1905 as to education under Diaz. If the American people would think or read for themselves and refuse to permit ignorant or biased propagandists to misinform them, they would readily understand that the public-school system of Mexico was upon practically the same basis as that of the United States and of the different States of this Union, to wit, the National Government in Mexico had nothing more to do with the primary public schools in the States of Mexico than has the National Government of the United States at Washington to do with the primary public schools of the States of this Union. The Central Government of Mexico under Diaz dealt directly with the national schools, universities, etc., and dealt directly, more or less, with the schools in the territories and in the District of Mexico, which district corresponds exactly to our District of Columbia. The States each dealt with its own school problems and each established and maintained and assisted in maintaining not only the public schools in the public-school districts throughout such State, but also the State normal, agricultural, and other institutions. As early as 1865 colleges of law, medicine, and engineering were created in Mexico City and were successful from the beginning. Professional schools were also established in the more important provincial capitals. In 1874 there were 8,226 primary schools in Mexico, with an attendance of 360,000 pupils: 603 of these schools were supported by the National Government, 5,240 by municipalities, 2,260 by private enterprises, etc. The committee is here referring to an article in the Encyclopedia Britannica for the purpose of condensing

these statements. Reference to the testimony offered in this case will substantiate the statements contained in said articles, which, for the sake of brevity, we will further refer to. In 1889 recommendations were made by the National Congress for public education and were followed by congressional action requiring free and compulsory education in the Federal district and national territory. On the 19th day of May, 1896, a general public educational law was promulgated which provided further regulations and outlined a comprehensive system. Compulsory attendance was a feature of this law of 1896. The law provides for uniform free and nonsectarian primary institutions with compulsory attendance of children 6 to 12 years of age; preparatory course for professional training in the Government schools were also made free.

The State school system was gradually made to conform to this national system. In 1904 the number of public schools was returned at 9,194 with an enrollment of 620,476. Of these 6,488 were supported by the National and State governments, and 2,706 by the municipalities. The number of provincial, religious, etc., schools was 2,281, with 135,838 pupils. The secondary national and State schools number 36, with 4,642 pupils, and schools for professional instruction numbered 65, with 9,018 students, of whom 3,790 were women. Normal schools were also maintained at public expense. The Government maintained schools of law, medicine, agriculture and veterinary practice, engineering, mining, commercial and administrative, music and fine arts, also a mechanic's training school for men and one for women and schools for the blind and deaf mutes, reform schools, and garrison schools for soldiers. The National Library of Mexico contained 250,000 volumes, and in 1904 there were 138 public libraries, 34 museums for scientific and similar purposes, and 11 meteorological observatories. Statistics with reference to matters of public interest in Mexico are very meager. Bringing the matter down to date: Just prior to the revolution, it may be noted that in the State of Chihuahua alone there was a public school in session during the year 1909-10 in every school district in the entire State, including purely Indian districts. Out of a total population, including Indians, of approximately 327,000, more than 22,000 were in daily attendance upon these public schools which were supported by the State and local municipal governments; there were supported by the State of Chihuahua at this time two normal schools, and 60 graduates of these schools were then in Europe at the State's expense taking postgraduate courses; that there were also two agricultural schools supported by the State; one or more schools of art and science; that in addition there were private schools conducted by protestants of different denominations, private schools of nonsectarian character, and one or two private schools conducted by Catholic sisters. As will be shown by the testimony of such witnesses as Mr. E. L. Doheny (pt. 1, p. 207), and many other witnesses, Porfirio Diaz was sincerely interested not only in the uplift and welfare of his people, but also in seeing education, and particularly technical education, spread among the inhabitants of the Republic of Mexico.

Railroads.—Prior to 1878 there was a road constructed from the City of Mexico to Vera Cruz, and about that date 58 miles of branches from this road, a total of 321 miles of railroad in Mexico in operation

prior to 1878. When Diaz went out in 1910-11 the railroad mileage of Mexico was more than 16,000 miles, and of this three-fifths or more belonged to, or was controlled by, the Mexican Government itself.

In the last official report prior to the incumbency of De la Barra, the total mileage as shown was 14,857 miles with the Southern Pacific of Mexico and what is now the Mexico Northwestern system yet constructing, bringing the mileage up to a little more than 16,000 miles at about the date when Diaz was overthrown. In 1878, when Diaz was recognized by the United States, the only bank in Mexico was a branch of the Bank of London, Mexico and the South, known as the "Banco de Londres, Mexico y Sud America," and a small private bank in the city of Chihuahua, later merged into a State institution, but conducted in the year mentioned by the Mac-Manus family. In the year 1909-10, prior to the overthrow of Diaz, the banks of issue of Mexico had assets of 736,191,398 pesos: They had a capital of 118,800,000 pesos and deposits of 71,910,424 pesos. Auxiliary banks had a capital of 47,800,000 pesos; assets, 128,375,032 pesos; mortgage banks had a capital of 10,000,000 pesos; resources, 51,934,102 pesos.

In 1914, after Madero went out and before Carranza's recognition, the total capitalization and surplus of all banks was 205,194,287 pesos. In 1918, under the Carranza government, the then only recognized banks in Mexico had a nominal capital and surplus of 148,197,409 pesos, while the metal reserve and actual convertible assets, as shown by the evidence, possibly amounted to 30 cents on the dollar. In other words, in 1909 banks, counting capital, had approximately 1,150,000,000 pesos assets and in 1918-19, 148,197,000 pesos nominal assets. (See testimony McCaleb, pt. 5, pp. 728, et seq.; also same part, pp. 686 et seq.) The State banks, such as the great Bank of Sonora, Miner's Bank of Chihuahua, and all other banks in the States, are practically wiped out. (See testimony Bracey Curtis, pt. 12, pp. 1833, et seq., and other testimony.)

We will not endeavor to give statistics on the general increase of Mexican trade with other nations of the world as shown by imports and exports, but content ourselves with the statement of fact that in the year 1878, when we recognized Diaz, imports into the United States through border custom districts was \$1,585,368; for the year 1910 these imports through the same districts were \$22,911,198, while for the same years the exports to Mexico through such border districts were respectively \$3,391,787 and \$29,106,100. Through all the Mexican ports there were imported into Mexico in 1911 approximately \$100,000,000 of goods of which the United States sold \$60,000,000; in the same year there were exported by Mexico goods to the value of approximately \$150,000,000, about 77 per cent of which the United States purchased. During the entire period of the Diaz régime there were no revolutions except two incipient disturbances occurring on the border and engineered from the United States. Neither of these were of the slightest importance and each was immediately suppressed. After Diaz succeeded Gonzalez in 1884, a traveler was safe in the innermost recesses of the Sierra Madres or in the tropical regions of the south; in the State of Sonora in the north or in the State of Chiapas in the south; Sinaloa of the west, or Tamaulipas on the east coast. No guards were necessary on trains which were run without interference and on schedule time.

In the Mexican army, on paper, were 25,000 men. As a matter of fact, the total number of men in the Mexican army in 1909-10, as was later discovered, was less than 13,000. A force of "rurales," comparable with the Texas Ranger force or mounted police of Pennsylvania, maintained law and order throughout the Republic, while their number did not exceed 1,200 at any one time. Americans were welcome wherever they went in Mexico and their financial assistance was sought in opening up all the resources of the country; and during their visits they were welcomed with equal hospitality at the palace of the rich "hacendado" or hut of the humblest peon. In short there was no such thing dreamed of as an anti-American feeling of Mexicans toward Americans. Over the world, in every civilized country, Porfirio Diaz was regarded as an honorable, honest, patriotic, upright ruler, practically an autocrat or dictator, but devoted to his country and his people; in fact his character was that of the man of whom Mr. Bryan writes in the quotation given from his book.

NORMAL MEXICO; RESUMED.

1910-11: Mexican I. W. W. Junta. Orozco Madero revolution.

1911: May 10. Juarez captured by the forces of the "Red Flaggers" and followers of Madero. Diaz resigns and Francisco de la Barra becomes President.

1911: Under the Mexican constitution the secretary of state succeeds to the Presidency in event of a vacancy, and De la Barra was also agreed to by Madero.

1911-12: Elections held and Madero declared President.

1911-12: Revolutionists, particularly Zapatistas, continue operations.

1912: March 1. Orozco revolution against Madero. Chihuahua secedes. Orozco military commander. Zapata revolution continues and revolutionary activities all over the Republic.

1913: February. "Cuartelazo" City of Mexico. Felix Diaz delivered from imprisonment. Madero and Pino Suarez arrested. Both resign.

1913: March. Lascruain, foreign minister, becomes President for 28 minutes; resigns and—

1913: Victoriano Huerta declared President and confirmed by the Mexican Congress. Madero and Suarez assassinated. Revolutionary activities continue all over the Republic. United States refuses to recognize Huerta.

1914: Veracruz seized by United States forces. Carranza, Villa, Obregon, Zapata, and others continue revolution in all States.

1914: July. Huerta resigns and leaves Mexico. Carbajal takes oath of office as President. United States does not recognize and insists upon Carranza or some one agreeable to him at Niagara conference. Carbajal insists upon amnesty before surrendering Mexico City, and Carranza refuses August 5. August 9. Secretary Bryan announces that Carranza has given this Government assurances that Carrancistas will commit no excesses. Carbajal yields to Carranza's demand as Obregon's army threatens the city. August 12, Carbajal leaves the capital. Obregon's troops enter city about August 17. Villa and Carranza have therefore split. Provisional

President to be chosen by convention. Carranza agrees to resign as first chief and submit to convention. Villa and Carranza each bluffing at resigning and getting out of the country.

1914: October 22-23. Convention names cabinet. Carranza claims right to pass upon all matters and convention agrees to accept Carranza's resignation and that both he and Villa get out of the country.

1914: November 3. Gen. Eulalio Gutierrez chosen provisional President for 20-day term. Carranza refuses to abide by action of convention and he and Gutierrez set up rival governments; Carranza in Puebla, and Gutierrez in Aguascalientes. Obregon loyal to Carranza. Revolutions continue.

1915: January 16. Gutierrez named provisional President to serve until April, 1916.

1915: January 18. Gutierrez deposed by convention and Roque Gonzalez Garza elected provisional President. Convention adjourns to meet in Mexico City. February 4. Villa announces he is in charge of Presidency and appoints three ministers, January 28. Villa forces leave Mexico City. January 29. Carranza forces enter city, Obregon in command. United States protests Obregon's incendiary statements March 4. March 10. Carranza forces under Obregon evacuate city. Zapata in charge of city; and

1915: March 18. Garza reported back in Mexico City. Revolutions continue. Gutierrez leading one faction; Garza pretending to lead another; Carranza heading a third, and generals, colonels, etc., each man for himself.

1915: About April 1 Carranza forces under Obregon enter city, but again evacuate it and other forces occupy it.

1915: June 20. Carranza retires to San Juan de Ulua Castle.

1915: United States calls meeting Central American and other States and military leaders to consider government for Mexico. All leaders opposed to Carranza agree to attend meeting and abide by results. Carranza, with Obregon, Pablo Gonzales, and others refuse and demand recognition of Carranza alone.

1915: October 6. Carranza recognized de facto head of Mexican Government by United States.

1915: October-November. American Red Cross, serving 23,000 soups per day in Mexico City and feeding starving there and other locations, ordered out of Mexico by our Government upon insistence of Carranza.

1916: Revolutions continue. Pretended elections called, but elective franchise restricted to those on date of election actively supporting Carranza. No elections held except where Carranza garrisons are in control. Same qualifications for election at constitutional convention.

1916: Five States with no representation whatsoever; others represented by delegates elected from Carranza garrison locations without opposition. Constitution convention meets at Queretaro.

1917: January 31. New constitution signed over opposition United States Government. February 5. Constitution promulgated. February 11. Ambassador Fletcher, United States, leaves United States, arriving Mexico City February 19. Wires

United States Government assured by Mexican State Department confiscation clauses Mexican constitution will not be put in effect against Americans; Fletcher presents credentials to Carranza at Queretaro.

1917: On March 3, and thus Carranza is recognized "de jure" President. Revolutions continue all over Republic. Zapata assembled his forces, dividing into smaller bands under various leaders, continue struggle. No peace in any State in Mexico. Carranza government recognized where it has armed control.

1918-19: Same.

1919: August. United States Senate appoints committee to investigate Mexican matters. Committee opens hearings Washington, New York, and Mexican-American border.

1920: Opposition to Carranza quietly drawing; Gen. Felipe Angeles organizes Liberal Alliance, and Angeles enters Mexico. Arrested, court-martialed, and shot.

1920: March. Dieguez undertakes remove De la Huerta, governor Sonora. Obregon-Gonzales rival military candidates. Carranza attempts take advantage Liberal Alliance and other civil movements and presents Bonillas as candidate for Presidency.

1920: April. Sonora Legislature passes secession ordinance; Obregon recalled to Mexico City and, under arrest, escapes. De la Huerta, Calles, Salvador Alvarado take charge Sonora movement and issue "Plan of Agua Prieta." April 9, declaring for 1917 constitution. Revolution in City of Mexico and all over Republic. Carranza compelled to abdicate and supposed to leave Mexico May 9. De la Huerta supposed to call Mexican Congress together to name President pro tempore. Congress reported to meet on Friday to have adjourned until May 24.

1920: May 22. Carranza reported to be killed, together with members of his cabinet, while in fight by "bandits."

PRESIDENTS.

1911 to 1920: Diaz, De la Barra, Madero, Huerta, Carbajal, Gutierrez, Garza, Villa (by his own declaration), Vasquez Gomez (1912 by State of Chihuahua through Orozco), Carranza, De la Huerta.

In discussing more fully what we have called the "normal" condition of Mexico after the years 1910 and 1911 (the chronological sequence of which we have hurriedly referred to) let us return for a moment to the "abnormal" Mexico of 1876 to 1910.

In 1876 Gen. Porfirio Diaz issued a proclamation announcing himself as provisional President of the Republic under the plan of Tuxtepec.

Upon being informed of the circumstances in January, 1877, this Government took the matter of recognition under consideration and stated that although it was "accustomed to accept and recognize the results of a popular choice in Mexico and not to scrutinize closely the regularity or irregularity of the methods," nevertheless we would

wait in this particular instance "before recognizing Gen. Diaz as President of Mexico until it shall be assured that his election is approved by the Mexican people, and that his administration is possessed of stability to endure and of disposition to comply with the rules of international comity and the obligations of treaties."

Disturbed conditions continuing along the border finally Evarts wrote to Minister Foster as follows:

"The first duty of a Government is to protect life and property. This is a paramount obligation. For this governments are instituted, and governments neglecting or failing to perform it become worse than useless. This duty the Government of the United States has determined to perform to the extent of its power toward its citizens on the border. It is not solicitous, it never has been, about the methods or ways in which that protection shall be accomplished, whether by formal treaty stipulation or by informal convention; whether by the action of judicial tribunals or that of military forces. Protection in fact to American lives and property is the sole point upon which the United States are tenacious."

This note of itself inaugurated a new era in Mexico and was of itself, as used by President Diaz, largely responsible for the long period of peace and consequent prosperity reigning in Mexico.

As the story is told by his son, Diaz was upon first impression intensely angered when the contents of this note were communicated to him.

Wise old Indian that he was, however, upon second thought he determined that he would use this note to compel observance of his orders and loyalty to his plans and purposes by the constant threat that unless his plans were carried out and his government respected and armed resistance or opposition ceased, that the "Colossus of the North," simply awaiting a favorable occasion, would avail itself of the first opportunity to take over Mexico.

Thus was raised through the deliberate purpose of Diaz "El Fantasma," that is, "The Specter," which is yet so often alluded to by Latin-Americans and particularly by Mexicans in speaking of the United States.

From time to time as opposition threatened the Diaz government or his plans, he would call attention of those offering such opposition to the Evarts note and was thus largely able to overcome such opposition in its incipency.

Finally he was recognized by this Government in 1878, when a formal reception was accorded the minister from Mexico.

Then ensued the great era of prosperity which we have rapidly sketched, and we shall now refer shortly to the political conditions under Diaz's administration.

The Diaz administration was an autocracy with the "Strong man of Chapultepec" as a practical dictator, supported by, and in turn supporting, certain families or persons in each of the different States of the Republic. His army was at the command of such governors, and in turn their support was extended the central government through Diaz whenever same was necessary or called for.

Necessarily the younger generation of those who were "out" and did not belong to the "reigning families" in the different States were opposed to this autocracy, but generally entirely loyal to Diaz personally, and all recognized, or thought they recognized, not only the futility of using force against him, but also the possible consequence to their country and its sovereignty as they viewed "El Fantasma" constantly projected before their eyes.

Diaz grew old and weak and sought to assure continued prosperity through peace and order, for his loved country by preparing beforehand for the perpetuation of his plan of government.

He finally forced the adoption of an amendment providing for the election of a vice president, and as his plan grew was instrumental in forcing the election of Ramon Corral, of Sonora, as vice president.

Each of the prominent supporters in each of the States, or at least the majority of these autocrats, imagined that he should fall heir to the mantle of the old soldier and, of course, objected to the selection of a Sonoranian rather than himself as the successor to power.

Meantime, largely because of the autocratic and arbitrary rule and acts of the family, or person, of authority in the State, the opposition to this form of government had grown stronger and stronger with the years.

THE "RED FLAGGERS."

In 1905 there was organized in the United States by a few radical Mexicans what was known as the "Organizing Committee" of the Liberal Party of Mexico. These men carried on propaganda throughout the Republic through which they appealed to the ignorant masses of the Mexican people; to the Indian tribes by name and collectively; and to all the dissatisfied elements, to rise against the power of Diaz and overthrow the Government.

They issued their plans at first of a milder radical type but rapidly more and more anarchistical in character.

Not content with their appeal through propaganda, through proclamation, through letters and organizing committees; they established a periodical published in various States of the United States from time to time and known as *La Regeneracion Publica*.

Their proposed plan was that of the extreme French syndicalist and of the radical I. W. W. which latter was just making itself known in the United States through the writings of Vincent St. John and others; the "junta" or committee, proposed not only to overthrow the Government of Diaz but to confiscate all property including real estate and divide the same among the population of Mexico "without discrimination as to sex"; they admitted it to be true that many large estates had been bought, but claimed that the purchasers themselves had stolen their money or achieved their wealth by bribery, corruption, etc., and that therefore they were not entitled to payment for the properties which were to be taken from them; they appealed to the Indian particularly upon the ground that his territory had formerly extended from one mountain top in sight of his little settlement to another to be seen at a different point of the compass, and told him that all that was necessary was for him to rise and take his property back; they appealed by name to the Yaquis and the other tribes with these and similar statements; not content with this propaganda they endeavored to secure recruits for armed intervention in Mexico in different sections, and finally, coming in contact with the neutrality laws of the United States, were arrested.

The organizers of this "junta" or committee of the so-called revolutionary "Liberal Party" were:

Ricardo Flores Magon, Juan Sarabia, Librado Rivera, Enrique Flores Magon, Antonio I. Villarreal, and Anselmo L. Figueroa.

In 1908 the American Federation of Labor then in session at Denver telegraphed these gentlemen the sympathy of "our" organization in their troubles.

Some of the parties were convicted; but their activities did not cease.

Later the committee was reorganized and found in active business again at Los Angeles, Calif.

Their propaganda at this time consisted not only of similar appeals to the population of Mexico and particularly to the Indians, but of appeals for assistance to the radical labor element of the United States.

The Orozco revolution having broken out in Chihuahua and that leader having been persuaded to declare for Francisco I. Madero as President of Mexico, the Magon-Villarreal junta called upon all of their followers to assist in the overthrow of Diaz; but as will be seen by reference to the testimony in part 17, page 2506, their stated purpose was not the overthrow of Diaz to assist in "forming a bourgeois republic" such as that of the United States, by the seating of Madero in power, but to use the Madero-Orozco assistance to overthrow the then existing government, which done—as they insisted—the overthrow of the Madero government could be completed without difficulty.

The representatives of this "Flores Magon-Villarreal" I. W. W. anarchistical party or junta, who took active part in the fighting prior to the resignation of Diaz, were Jose Inez Salazar, Emilio Campa, and like gentry, who were known as the "Red Flaggers." (See testimony Inez Salazar, pt. 17, p. 2591, and also testimony Mrs. Carlin and others, pt. 17, p. 2593, Judge Barch, pt. 18.)

After the overthrow of Diaz these gentlemen continued their activities not only by propaganda but by the organization of armed forces led by "generals" Pryce, Stanley, and others, with recruits from the active membership of I. W. W. local organizations in southern California, those around Los Angeles, San Diego, and other California towns, joined by radicals of different races and soldiers of fortune who flocked like vultures around the corpse of bleeding Mexico.

R. Flores Magon testified in the extradition cases of Pryce and others, and admitted the activities of the Liberal Party along these lines as well as their propaganda endeavors in the Republic of Mexico, showing their organization throughout 18 States of that Republic, etc. (See part 17, p. 2514.)

They were again arrested for violation of the neutrality laws, and President Madero sent Jesus Flores Magon to attend the trial and assist in the conviction of these men, four of whom were convicted and sentenced to San Quentin.

Of course, the sympathy of the American Federation of Labor with these men, who proclaimed themselves patriots, and revolutionists against the horrible rule of a tyrant, can well be understood; but the consequences possibly were not foreseen, and could not be foreseen by those who understood as little of the Mexican population as did Mr. Gompers and his associates.

These conservative labor men of the United States could not realize that to the great majority of the population of Mexico, "liberty" merely meant "license" to work individual sweet will

not only with the property but with the body and person of any other, whether man or woman.

The fact is as disclosed by the evidence in this case that through the assistance of many sincere and good people in this country and through the financial and other assistance of the extreme radical elements the only invasion of Mexico, by arms, which has occurred from this side of the border (except the landing at Veracruz under orders of our President, the Pershing Expedition under similar orders, and the military expeditions in following the "hot trail" of marauders), was inaugurated, brought about, and supported by the elements in the United States which have been among those most loud in protesting against "armed intervention" in Mexican affairs and insisting most strenuously that the Mexican people should not be interfered with in the spilling of their blood and the establishment of even such condition of affairs as was advocated by the Magon-Villareal propagandists.

MADERO-VASQUEZ GOMEZ PARTY.

The "Anti-Reelection Party," organized largely through the efforts of Francisco and Emilio Vasquez Gomez, with the cooperation of Francisco J. Madero (as will be seen by reference to their "plan" as set forth in the evidence), advocated a reform of the constitution of 1857, to prohibit the reelection of a president or other officers; and also to provide for a commission who should investigate and ascertain the ownership, value, and amount, of the unoccupied lands withheld by the owners from development by individuals, with the object of purchasing such land, by payment to the owner, and the sale thereafter to those needing homes.

The success of Madero was an accident not due to his own following nor to the strength of his army movement and not due to the strength of the Flores Magon-Villareal movement, but to an uprising of the Mexican and Indian population of the mountain districts of Chihuahua against State taxation and against the Creel-Terrazas families and their domination.

Orozco, the leader of this movement, having been brought in conflict with national forces, was approached by Madero emissaries with the proffer of money and assistance should he declare for Madero for President, which he promptly did. Madero, leading a few followers of his own and some "Red Flaggers," declined to await Orozco's assistance, and brought on the battle of Casas Grandes, in which he was most thoroughly whipped and his followers driven away. A few days later they joined Orozco with his command and were led to the border, where, despite the orders of Madero to the contrary, Orozco and Villa captured the city of Juarez and compelled the resignation of Diaz.

By agreement, or rather by acquiescence of Madero, as the leader of the revolutionary forces, Francisco de la Barra, under the form of the constitution of the Republic, became president ad interim pending an election. At this election Madero, having "changed partners" just prior to the final result, had Pino Suarez declared elected Vice President (with himself as President), in lieu of Vasquez Gomez, who was his running mate on the antireelection ticket. This result was easily brought about, because, following the usual custom which he had so strenuously denounced, Madero insisted upon his right to ap-

point governors over the people in the different States in Mexico, and through such appointees declared the results of the election.

Prior to this time the old treaty of amnesty and commerce with the United States had lapsed and had never been renewed, which is the condition existing to-day.

The Government of the United States, not being informed, of course, as to the true conditions among the rank and file of the Mexican people, followed the ordinary procedure, and without hesitation recognized first De la Barra and later Madero through the ambassador of the United States already in Mexico City, requiring no security for the protection of Americans.

The so-called Madero revolution had the sympathy of the majority of the Americans along the border in a general way; that is to say; supposed, as it really was, to represent a revolt against autocracy, it had the good will of American Democrats. Through this good will, and by virtue of the then lax laws with reference to the exportation of arms and ammunition, the Madero-Orozco-Flores-Magon armed forces were enabled to secure supplies, arms, and ammunition with which to carry on the revolution (of course, it must be understood that had Diaz been a few years younger, this revolutionary movement at that time, only numbering in men under arms at most 1,000 or 2,000 all combined, would have been crushed in its incipiency and with little or no effort).

But again, "The Spectre," "El Fantasma," which had been presented to him in 1878, could be seen across the border, where 20,000 American troops had been hurried by our Government.

Zapata continued the revolution, as did various bands under different leaders, and finally in March, 1912, the State of Chihuahua seceded and Pascual Orozco, the former successful leader of the Madero forces, was placed in military command of the anti-Madero movement. Successful in the preliminary skirmishes and in the first battle of Rellano, Orozco, far from his base of supplies, awaiting shipments of arms and ammunition over the Mexican Central Road, which was under his control to the American border, failing to receive such shipments was compelled to fall back, and finally after a futile struggle of months, to abandon the military field to the armed forces of the Mexican Madero Government.

The so-called amendment to the neutrality laws of the United States (in fact, an amendment to the Spanish-American War legislation, prohibiting shipments of war supplies which might fall into the hands of Cervera's fleet) had been adopted and under it the President of the United States had prohibited the shipment of arms and ammunitions to anyone in Mexico except to the regularly recognized Madero government.

During the few months of the Madero revolution against Diaz many Americans lost their lives, almost invariably at the hands of the "Red Flaggers." In the Orozco revolt or the Chihuahua secession again these "Red Flaggers," following the original "grito" (cry) as outlined in 1906 and constantly pursued, "that the people of Mexico needed no government" flocked around Orozco. Upon the defeat of these forces and Orozco's men (or upon their being driven back for want of arms and ammunition) under the leadership of the same Jose Inez Salazar and others, bands of from 35 to 400 each, devastated the northern portion of Mexico and principally

the State of Chihuahua. Revolutionary activity of the same character broke out with renewed fury all over the Republic, and during this period and up to the overthrow of the Madero government and the incoming of Huerta approximately 200 Americans lost their lives in Mexico.

ANTI-AMERICAN AGITATION AND OUTRAGE PRIOR TO 1913.

Examination of the evidence will disclose that the reason offered by these Mexican revolutionary leaders for holding Americans to ransom, robbing them of their property, driving them out in herds from their homes and farms, and assaulting them even to the point of death, was that the United States Government had taken part in purely domestic troubles in Mexico and was actively assisting the Madero government with arms and ammunition, while refusing to allow the purchase of elements and instruments of warfare by the very man who had placed Madero in power. Complaints were made that Madero forces were allowed to use American soil for refuge, and that Madero troops were allowed to travel over American railroads to escape from or to attack at some other place, those in revolution against the Madero government.

Wordy protests were made by our Government in one or two instances against outrages upon Americans and destruction of American property, only to be answered, of course, by Madero to the effect that he could not control the bandits. The American Government interposed no force for the protection of its citizens in Mexico even near its own borders. The consequence of this later policy was, of course, to confirm the bandits, legitimate or anti-Madero, in the belief that Americans were left alone and would not under any circumstances be protected by their own Government.

Agitators among the Mexican demagogues proclaimed against the United States and the citizens of the United States, and were successful, of course, in arousing feeling against us and our citizens and securing recruits for themselves and justifying to their followers and thousands of good people in Mexico outrages which were perpetrated upon individual Americans who had theretofore lived for years in amity, peace, and good fellowship with the people of Mexico.

Shortly prior to July 29, 1912, approximately 4,000 American citizens had been driven out of the States of Chihuahua and Sonora by armed bands under Salazar and other "Red Flaggers"; their lives threatened; their property destroyed; large numbers of them killed (see testimony of Ella Stevens, pt. 17, p. 2602; testimony of Mrs. Carlin and others, pt. 17, p. 2593; testimony of Judge Bartch, pt. 18, p. 2727.) and these people, including more than 1,200 children, the majority born in Mexico, had taken refuge on the American side of the line, and being destitute, were fed by the people of El Paso, Douglas, and other American towns.

A joint resolution introduced in the Senate on July 29, 1912, "authorized the Secretary of War to supply tents and rations to American citizens compelled to leave Mexico."

This resolution (S. J. Res. 127) was immediately adopted and its provisions were carried out by the Army of the United States.

On August 2, 1912, there was introduced in the Senate a joint resolution "to provide transportation for American citizens fleeing from threatened danger in the Republic of Mexico."

By the terms of this resolution the Secretary of War was authorized and directed "to furnish transportation from El Paso, Tex., to such place in the United States as each shall elect, to those American citizens fleeing from the Republic of Mexico who are now or may be hereafter temporarily supplied with shelter and sustenance in whole or in part by the Government of the United States in or near El Paso, Tex."

One hundred thousand dollars was appropriated for this purpose and same was applied as directed.

On August 10, 1912, there was introduced in the Senate a joint resolution (S. J. Res. 133) appropriating \$20,000 out of the \$100,000 appropriated under the resolution of August 2, for the subsistence of American citizens now in Arizona fleeing from threatened danger in the Republic of Mexico, and same was adopted and its provisions carried out.

It will thus be seen that the acts of citizens of Mexico in derogation of the rights of the citizens of the United States were, in the eyes of the Mexicans, justified, and have to this day been justified by the attitude of the American Government toward its own citizens and toward the Mexican Government.

The American Government had not intervened for the protection of its citizens in the Republic of Mexico, but had left them at the mercy of the bandits, and Congress was compelled to take care of such of them as managed to reach the border.

Meantime, on March 2, 1912, cable instructions had been issued by the State Department to the Ambassador in Mexico City, as follows:

"Paraphrase. Embassy is instructed in its discretion to inform Americans that the embassy deemed it its duty to advise them to withdraw from any particular localities where conditions of lawlessness so threatened their personal safety as to make withdrawal the part of common prudence. The embassy is further instructed to specify the localities, if any, from which withdrawal might at any time seem advisable, and state that in any such cases consuls could take charge of abandoned effects as might be possible under the circumstances.

"The department stated that it was sending a copy of this telegram to all consular officers in Mexico, merely for their information and for the information of Americans in their districts."

Under the wording of this cablegram, and particularly that portion of it which instructed the embassy "to specify the localities, if any, from which withdrawal might at any time seem advisable," Americans in Mexico to whom the order was directed or indirectly communicated through the embassy or consular agencies, or through other persons, construed it to mean that the Government at Washington and the embassy at Mexico City knew something concerning Mexico, or intended to take some action with reference to Mexico, which individuals located or residing in Mexico should be warned of; and the majority of Americans in Mexico (at least throughout the rural districts and apart from those in the City of Mexico who had or might have the advantage of personal consultation with the ambassador) imagined that finally the Government of the United States intended to protect Americans wherever they were or where it might be able to reach them; and so a great exodus of American citizens immediately commenced.

The effect upon the minds of Mexicans in different localities who had continued to work at their employment under Americans—

who had been loyal and faithful, and had announced themselves willing to protect the property and lives of their American employers—was to open their ears to the appeals of demagogues that they should join bands of bandits, or revolutionists or some one else, and prepare to defend their country against the United States.

In many localities those ignorant people were told that slavery existed in the United States; that the slave States of the South had always wanted to take over more Mexican territory than had been acquired in 1848; and that the purpose of the Government of the United States now was to withdraw Americans so that Mexicans could not hold them as hostages or mete out retribution to them for assaults upon Mexicans; that the real purpose of the United States was to take over Mexico and enslave the Mexican people.

This was the effect of the ill-advised, but of course well-meant cablegram to the embassy, sent out under conditions existing as they were, and at a time when Americans had not yet been convinced that their Government at home would no longer protect Americans abroad.

At least however, the Government of the United States up to this time, while failing to protect its citizens, had not intervened in the internal affairs of Mexico in the effort to change their officials or their form of government.

HUERTA-CARRANZA PERIOD.

The resignation of Madero and Pino Suarez was forced, following the "cuartelazo" in the early part of 1913, and Lascruain, taking over the Presidency under the form of the constitution, resigned the office, and under this same constitution Huerta was immediately declared elected President.

The Government of the United States through the President refused to acknowledge the Huerta government and sent John Lind to Veracruz and Mexico City, followed by other personal representatives of the President, among whom were the Hon. William Bayard Hale, Mr. George Carothers, then recent consular agent at Torreon, etc.

The Congress of the United States was not consulted with reference to these quasi ambassadors or personal representatives, nor was the Congress of the United States even notified of their missions or the purport thereof, except as in the message of the President of the United States to the Congress of August 27, 1913.

The correspondence between the polished, suave, and learned diplomat, Gamboa, and the Hon. John Lind is interesting and instructive.

Under date of August 16, 1913, Gamboa says among other things:

"Fortunately. * * * your character as confidential agent of your Government was fully established."

Mr. Gamboa, in the same letter, states that "the Government of Mexico has paid due attention to the advice and considerations expressed by the Government of the United States" as contained in the note of the President of the United States presented to Gamboa by Lind at their second interview.

Gamboa says the Government of Mexico "has paid due attention to the advice and considerations" for several reasons:

"First. Because Mexico entertains the highest respect for the personality of His Excellency Woodrow Wilson.

"Second. Because certain European and American Governments with which Mexico cultivates the closest relations of international amity, having in a most delicate, respectful way, highly gratifying to us, made use of their good offices to the end that Mexico should accord you a hearing, inasmuch as you were the bearer of a private mission from the President of the United States."

We will not attempt to quote all this communication, which so carefully reviews and comments upon the Lind mission and note of the President, but one or two additional quotations here require repetition:

"The request that Gen. Victoriano Huerta should agree not to appear as a candidate for the presidency of the Republic in the coming elections can not be taken into consideration, because, aside from its strange and unwarranted character, there is a risk that the same might be interpreted as a matter of personal dislike. This point can only be decided by Mexican public opinion when it may be expressed at the polls.

The confidential agent may believe that solely because of the sincere esteem in which the people and the Government of the United States of America are held by the people and Government of Mexico, and because of the consideration which it has for all friendly nations (and especially in this case for those which have offered their good offices), my Government consented to take into consideration and to answer as briefly as the matter permits the representations of which you are the bearer. Otherwise it would have rejected them immediately because of their humiliating and unusual character, hardly admissible even in a treaty of peace after a victory, inasmuch as in a like case any nation which in the least respects itself would do likewise."

In another communication the Mexican minister rather indignantly repudiates the suggestion that compliance with the requirements of the President of the United States communicated through Lind might be followed by financial favors extended through the influence of our Government.

The committee will not endeavor to follow seriatim the acts of this Government with reference to Huerta nor those leading up to the recognition of the Carranza as the de facto Government in October, 1915. A reference to the testimony of W. F. Buckley, part 6, pages 767 et seq., is hereby made, as well as to other evidence in the case and to the public records.

Meantime revolution continues, accompanied, as usual, by outrages of every character upon American citizens.

At the very time that the message of August 27 was in preparation for communication to the Congress of the United States, and telegrams following same were being prepared for forwarding to the consuls and other officials in Mexico, Matthew Gourd's nieces were being outraged in his presence while he was tied to a limb with a rope around his neck.

We were informed in this message, among other things, that:

We should earnestly urge all Americans to leave Mexico at once and should assist them to get away in every way possible—not because we would mean to slacken in the least our efforts to safeguard their lives and their interests, but because it is imperative that they should take no unnecessary risks when it is physically possible for them to leave the country.

On the same date, that is, August 27, the consul general at Mexico City was notified "to warn Americans to leave Mexico," and

The consul general was instructed to notify all officials, military or civil, exercising authority that they would be held strictly responsible for any harm done to Americans or for injury to their property.

The consul general was instructed to furnish a copy to the embassy at Mexico City, and the State Department here had the same telegram repeated to all American consuls in Mexico.

This first telegram was followed by another of the same date, embracing extracts from the President's message to Congress, and (paraphrase):

It is further stated that the advice to leave Mexico did not indicate that the Government of the United States would slacken in the least its efforts to safeguard the lives and interests of Americans, but that they should take no unnecessary risks when it was physically possible for them to leave the country.

On April 20, 1914, the following telegram was sent (paraphrase):

It was stated in this telegram that Gen. Huerta had refused to salute the flag; that the President would lay the matter before Congress that day; that Americans and other foreigners should be notified of the critical situation; and that Americans should be reminded of the President's advice to leave Mexico until order was restored.

On April 22, 1914 (paraphrase):

The consuls were advised of the results following the landing of American forces at Vera Cruz, and were instructed to urge all Americans to leave Mexico as soon as possible.

On September 11, 1915 (paraphrase):

It was stated that, as a precautionary measure, it was of the utmost importance, in view of the particularly dangerous conditions arising from the revolutionary crisis, that all Americans, and incidentally other foreigners, be induced to leave Mexico immediately. The consular officers were authorized to abandon Mexico, bringing their records with them, if conditions were such as to justify their departure.

TAMPICO—VERACRUZ INCIDENT APRIL 20, 1914.

The Tampico incident of April 20, 1914, constituting what has generally been called the "Insult to our flag" brought a message from the President of the United States, giving his reason for landing armed forces at Veracruz and requesting ratification of the Congress of the United States for his acts. This incident and the message concerning same will be more fully referred to a little later.

A reference to the chronological events hereinbefore set forth will disclose that Huerta left Mexico City in July, 1914, and that after several so-called presidents had been named by one self-constituted authority or another, the President of the United States called upon the warring forces in Mexico to get together or this country would be compelled to take steps to pacify Mexico.

CARRANZA PERIOD.

Senate Document No. 324, Sixty-fourth Congress, first session, contains the answer of the President to the request for information as to why this Government had finally decided to recognize Carranza in October, 1915. In short, the reasons given were: That while the convention itself, which was yet in session, and while Villa, Zapata, and other independent leaders agreed to meet with the United States and representatives of other countries and abide by the decision of such representatives in the settlement of Mexican affairs; that Carranza declined, and that Obregon, Gonzales, and Carranza's appointed cabinet officers and appointed governors and other appointed officials agreed to leave the decision as to taking part in this

meeting to Carranza himself; that it appeared that Carranza was the only one man whose domination was acceptable to any number of others and that therefore this Government should recognize him as head of the de facto government of Mexico.

BRYAN'S OPINION OF OBREGON.

Prior to this time the Brazilian minister was representing the interests of the United States in the Republic of Mexico, and through this minister the Department of State of the United States communicated directly to Obregon and to Carranza separately, among other things using the following language:

The Government of the United States has noted with increasing concern the reports of Gen. Obregon's utterances to the residents of Mexico City. The Government believes they tend to incite the populace to commit outrages in which innocent foreigners within Mexican territory, particularly in the City of Mexico, may be involved. This Government is particularly impressed with Gen. Obregon's suggestions that he would refuse to protect not only Mexicans but foreigners in case of violence, and that his present manifesto is a forerunner of others more disastrous in effect. In this condition of affairs the Government of the United States is informed that the City of Mexico may soon be evacuated by the Constitutionalist forces, leaving the populace without protection against whatever faction may choose to occupy it, thus shirking the responsibility which may happen as a result of the instigation to lawlessness before and after the evacuation of the city.

The Government of the United States is led to believe that a deplorable situation has been willfully brought about by Constitutionalist leaders and forces upon a populace submissive to their incredible demands, and to punish the city on account of refusal to comply with them. When a factional leader preys upon a starving city to compel obedience to his decrees by inciting outlawry, and at the same time uses means to prevent the city from being supplied with food, a situation is created which it is impossible for the United States to contemplate longer with patience. Conditions have become intolerable and can no longer be endured.

On May 7, 1915, the Brazilian minister, under No. 174, cabled the Secretary of State at Washington, his opening sentence being:

I have been requested by the American Society of Mexico and International Committee to transmit to you the following document * * *:

The capital (Mexico City) is suffering a lingering death * * *.

The Washington Government two months ago renewed its advice that its residents leave Mexico, with the suggestion from Gen. Carranza that other foreigners also leave Mexico City; unfortunately there has been no way open to act upon the advice since it was given * * *. Three travelers were shot last week while trying to get from this city to Pachuca, 50 miles away * * *. Censorship of commercial and private telegrams by the conventionalist authorities here and also the Carrancistas at Vera Cruz is so strong that residents can not explain to relatives or correspondents abroad either their situation or their actions * * * and this interference with cablegrams renders difficult or impossible the arrangement of maturing obligations such as life insurance premiums. * * *

Hope is expressed among foreigners here that special representatives from the United States who are attached to particular chiefs, may not be deterred by excessive desires to maintain agreeable relations with these leaders from furnishing the Washington Government with complete occurrences and impartial reports of what actually transpires in their locality.

CARRANZA AND THE RED CROSS.

Practically the first act of Carranza after his recognition in October, 1915, was the demand by him, acceded to by the United States, that the American Red Cross should get out of Mexico. (See The American Red Cross Magazine, November, 1915, issue, pp. 349 et seq.)

SECOND AND THIRD ATTACK ON FLAG. COMPARE WITH HUERTA INCIDENT.

In the early part of 1916, Americans were ordered to leave Tampico, the instructions being transmitted through Claude I. Dawson, American consul:

AMERICAN CONSULAR SERVICE,
Tampico, Mexico, June 24, 1916.

To whom it may concern:

American citizens are hereby urged to leave for the United States without any further delay, and to this end they should heed the suggestions to be made by the bearer hereof.

CLAUDE I. DAWSON,
American Consul.

[Instruction.

Advise people American consul has ordered all Americans to leave immediately, and state that you think no protection will be accorded those who remain. This includes men, women, and children.

In carrying out these instructions the U. S. S. *Marietta*, under command of Capt. Scott, had its boat and also a boat secured from a civilian vessel, but manned by sailors of the *Marietta*, assisting in the removal of imperiled American citizens.

This boat was fired upon by Carranza soldiers under Gen. Nafarrete and the sailors returned the fire. This was about June 24.

On June 15, at Mazatlan, on the west coast; the U. S. S. *Annapolis* sent her boat to the wharf at Mazatlan for the purpose of reaching the American consul with a message; there were no arms in sight but the boat was flying the American flag, the men were in uniform, and accompanied by two officers. When the boat ran alongside the pier the officers were met by Mexicans, one of them in uniform, and were invited to land. Upon stepping ashore they were immediately seized, conducted to a jail and imprisoned; the Mexican officer ordered the boat to land, but one of the American officers directed the sailors to "push off," which was done, but it was fired upon and one of the sailors was killed.

The sailors "broke out" their arms, which were concealed in the boat, and returned the fire. The officers were later released through the intercession of, and were guided on their way to the wharf by, a native Mexican woman who was married to an American.

The commanding officer of the *Annapolis* "in view of the policy of noninterference on shore," withheld the fire of his battery from protecting his boat.

A report of the matter was made by Admiral Winslow to the department.

The admiral made no protest nor requested any apology or explanation, but the entire matter was referred to the department.

In view of Admiral Mayo's experience acquired when his boat was insulted at Tampico * * * it was considered proper to leave that to the department.

See testimony of Admiral William B. Caperton and testimony of Commander A. T. Beauregard, part 22, pages 3203 and 3216.

In his message to the Congress of the United States concerning the Admiral Mayo-Tampico incident of April 20, which incident is referred to in the testimony cited, the President refers to Gen. Huerta's apology and to his explanation that "Martial law obtained

at the time at Tampico; that orders had been issued that no one should be allowed to land at Iturbide bridge." The President says:

Our naval commanders at the port had not been notified of any such prohibition; and, even if they had been, the only justifiable course open to the local authorities would have been to request the paymaster and his crew to withdraw and to lodge a protest with the commanding officer of the fleet.

Again, in the same message, "If we are to accept the tests of its own constitution it [Mexico] has no government." (Exactly the same constitution (if any) existed in April, 1914, as existed in June, 1916, and except by totally unconstitutional decree of Carranza no effort was made to change this constitution until January, 1917.)

It is true that we had not recognized and declined to recognize the government of Huerta when the first Tampico incident occurred; it is also true that we had granted de facto recognition to Carranza prior to June, 1916.

The facts are that we demanded a salute to our flag by Huerta, whom we had not recognized, and failed to demand a salute or apology from Carranza whom we had recognized.

MEXICAN ELECTIONS.

So-called elections were held in municipalities and in some portions of some of the States of Mexico after Carranza was recognized, and among others an election for constitutional delegates or "a congress to adopt a constitution," was held.

Among those who were excluded from voting at any elections were (and are):

I. Those who by any means undertook the overthrow of the lawful Government of the Republic, emanated from the elections of 1911. (Madero election.)

II. Those who carried out the barrack uprising (cuartelazo) in 1913, or in any manner contributed to its realization.

III. The functionaries, authorities, and public employees emanated from the usurping government; and those who, having emanated from the lawful Government sanctioned and collaborated, in an effective manner, in sustaining the usurper.

IV. Those who have figured actively in any of the factions opposing the constitutional government, or who continue to be hostile to the present Government of the Republic.

V. Those who economically, through the press or in any other manner duly verified aided or have stated their adhesion or sympathy with the usurping government or factions hostile to the present Government.

It may be interesting to recite here that the so-called Carranza revolution received its support from Villa, Zapata, Obregon, Pablo Gonzalez, Eulalio Gutierrez, Antonio I. Villarreal, etc.

That later a convention was held for the selection of a President under an agreement solemnly entered into by Carranza himself.

That the convention elected Gutierrez, and that in the fighting which inevitably followed Carranza's refusal to abide by the results, Obregon and Gonzalez sided with Carranza, while others claiming themselves to be original Constitutionalists, fought under the banner of the convention.

That therefore in all elections there were excluded from voting those who had supported the Diaz government.

Those who had supported the Madero government: those who had supported Huerta; those who had supported Carranza himself.

Those who had upheld the convention decision; and all those who had had nothing to do with politics in any form or manner, unless.

at the particular time of each election the particular voter or candidate could prove to the satisfaction of a Carranza election official that said voter or candidate was at that moment an unqualified supporter of Carranza and ready to bear or bearing arms in defense of his so-called government.

In view of the fact that of a population of 15,000,000 never more than 200,000 have taken active interest in the affairs of Mexico since the overthrow of Diaz, it can readily be seen that those who are entitled to and allowed to vote constitute rather a small number.

In this connection it might be of interest to recall that in the split between Carranza personally with his immediate followers and the convention and its followers, the Madero family opposed Carranza and upheld the convention, and that Raul Madero, brother of the deceased President, was a general in Villa's army fighting Carranza, while another brother, Emilio, was an officer in the same army.

PRESIDENT'S STATEMENT OF SATISFACTORY ASSURANCES OF PROTECTION OF AMERICANS.

In the message of the President of the United States of February 17, 1916, the President states to the Congress that satisfactory assurances have been received from Carranza that he would protect American citizens, pay American claims for damages, and recognize American rights and protect American property.

In addition to protesting against the actions of Obregon, Carranza followers, and others in the City of Mexico, Veracruz, and at other places, it immediately became necessary for this Government to continue the protests after the recognition of Carranza, as it had made protests prior to his recognition, against arbitrary decisions and acts affecting the property rights of American citizens.

For example, on June 29, 1914, Secretary Bryan cabled a protest against the refusal of Carranza, whose forces were then in charge at Tampico, to accept constitutional currency, that is, his own currency, and in any event against his refusal to accept New York exchange at prevailing rates, for bar dues, etc. (See Department of State records, pt. 21, pp. 3119.)

On July 10, 1914, Secretary Bryan called attention to Carranza's own decree "making it obligatory upon officials as well as the public to accept constitutional currency," and insisting that Carranza should accept currency tendered him in payment of dues, etc. The Carranza authorities continued to refuse, and apparently had their way.

On January 19, 1916, Lansing protested against the proposed confiscation decree—

providing for the nationalization of petroleum, which * * * would affect most seriously the interests of numerous American citizens and other foreigners who have heretofore engaged in the business of producing and selling petroleum in Mexico.

Point out to Gen. Carranza in unequivocal terms the dangerous situation which might result from the issuance of any decree of a confiscatory nature.

This is the first of the series of protests against confiscatory decrees, which protests, as will be disclosed by reference to copies of the official documents published in connection with this report, it has been necessary to reiterate in one form or another to the very day of the recent overthrow of the Carranza Government.

PROTESTS AGAINST MEXICAN CONSTITUTION, 1917.

In January, 1917, the so-called constitutional convention, or congress for the drawing of a constitution, was in session in Queretaro, Mexico.

The delegates to this convention had been selected under the system of free and universal suffrage just hereinbefore described.

The constitution which they adopted, or formulated, was pretended to be submitted to and has been pretended to have been adopted by the different States of the Union.

Except as this constitution was submitted to Carranza appointees and officials, and adopted by certain Carranza adherents under threat of Carranza guns in some particular districts in some particular States of the Union, such pretension of ratification was a fraud upon its face, as established by uncontrovertible evidence in these hearings and is a notorious fact to all Mexicans.

This constitution so illegally formulated was signed on January 31, 1917, and promulgated on February 5 of that year.

On January 22, 1917, Charles Parker, Esq., "representing American interests," Queretaro, Mexico, was addressed an official communication, signed "L," and bearing No. 621. (See pt. 21, pp. 3121.)

Among other things, the Secretary of State of the United States calls attention to the provisions of article 27 of the proposed constitution and criticizes same by paragraphs; he also refers to article 28, article 33, and to the proposed constitution generally.

At the time of this particular protest, strenuous and imperative as it was, article 27 of the constitution, in all its naked and anarchistic provisions, had not been agreed to and was not before the Secretary of State. The protest of that official representing the United States Government did not even receive the courtesy of an answer from Carranza, in so far as our records show, and in the face of the protest article 27 was amended by making it very much more objectionable than was the form before the Secretary when he cabled.

Among other things the Secretary in this protest says:

The Government of the United States has in the past made clear, as doubtless have other nations, that it can not concede the right of Mexico to limit, by its municipal law, this Government's rights of intervention to protect the rights of its citizens residing or sojourning in that country; nor concede that waivers such as those referred to in this provision can annul the relations of citizens to their own government and extinguish the obligations of this Government to protect its citizens in Mexico. In so far as the proposed provision would hamper the transfer to another foreigner of foreign-owned lands, it would apparently in a sense be confiscatory of rights enjoyed by the foreign owner from the time of his acquisition of the property.

Paraphrase:

You are instructed to bring the foregoing immediately to the attention of Gen. Carranza and state that the provisions above mentioned seem to indicate a proposed policy toward foreigners which is fraught with possible grave consequences affecting the commercial and political relations of Mexico with other nations. Further, that the American Government can not acquiesce in any direct confiscation of foreign-owned properties in Mexico or indirect confiscation. You will bring to the attention of Gen. Carranza the department's earnest desire that he give these matters his careful consideration with a view to avoiding the possibility of the disturbance of hitherto pleasant relations existing between the two Governments, and with a view to avoiding future serious difficulties under the proposed constitution with any government organized under it.

Following this protest Ambassador Fletcher left the United States and arrived in Mexico City on February 19. He at once proceeded to the Mexican foreign office before presenting his credentials to Carranza at Queretaro, and following his visit cabled, answering the department's telegram of February 19:

Minister for foreign affairs stated that he has no knowledge of any decree affecting the rights of foreigners to real estate or mines to which such foreigners already have clear title * * *. He further stated that the legislation emanating from the new constitution with respect to property rights would, in his opinion, in no wise prejudice present property rights and at the same time called attention to article of new constitution which provides that no laws may be made retroactive.

Fletcher then proceeded to Queretaro and presented his credentials to Carranza on March 3.

The Mexican Congress has never yet, up to the present date, passed legislation carrying out the provisions of the constitution of Mexico with reference to oil properties or other properties of foreigners—that is, article 27 or what we know as the confiscatory clauses of the constitution.

Carranza from time to time issued decrees of infinite variety, threatening and attempting to confiscate American properties; but yet, on August 2, 1917, Fletcher wires that American companies need have no uneasiness, "that it is not the intention of the Mexican Government to take over properties now in exploitation," and distinctly stated that there would be no confiscation of these properties. Again followed protests from the United States concerning different decrees, as, for instance, January 23, 1918, and January 27, 1918.

On April 4, 1918, our department was compelled to say:

This Government, acting on behalf of American citizens who have expended large sums of money in securing petroleum lands in Mexico, and who placed their reliance, as they were justified in doing, on the Mexican laws granting ownership of deposits under the surface to the owners of the surface, protests emphatically and solemnly against the petroleum decree, declaring it to be an act of despoliation and confiscation, and in the premises reserves all rights.

On April 2, 1918, Fletcher, in obedience to instructions, had already entered "this formal and solemn protest of the Government of the United States against the violation or infringement of legitimately acquired American private property rights involved in the enforcement of said decree."

A year and ten days after Fletcher's cablegram to the department of Carranza's assurance that no confiscation would be attempted, Lansing, among other things, cabled:

And to further direct Your Excellency's attention to the necessity which may arise in order to protect the property of its citizens in Mexico, divested or injuriously affected by the said decrees, to impel the United States to protect the property of its citizens.

Fletcher under date of August 3, 1918, conveyed to the Secretary of State Mr. Carranza's claim that his decrees were only fiscal and temporary, later to be followed by legislation which was in the province of Congress.

Carranza stated that if the difficulty could not be settled except by war or intervention, he was sorry but was prepared to confront this alternative.

We, of course, "backed off" and continued to talk.

On August 14 Carranza refused to postpone his decrees.

On August 17, 1918, Mr. E. Garza Perez, subsecretary "by reason of the illness of the secretary of state for foreign affairs," to Henry P. Fletcher, American ambassador, stated:

The Mexican Government believes it necessary to state that it will not accept the interference of any foreign power * * * and that it will not admit any proceeding which under the pretext of protection to foreign interests wounds the national decorum or impairs the exercise of its sovereignty.

On March 18, 1919, the secretary again protested "against Mexican petroleum decrees."

April 16, 1919, another protest, and on the same date another, and in answer to these latter protests the Mexican Government among other things curtly announced that the "protests of foreign nations can not suspend the effects of laws issued by the Government of another nation."

On June 18, 1919, another protest was forwarded entering "a vigorous protest as threatening to confiscate rights which its citizens have legally acquired," and—

You will simultaneously make reservation of rights for damages in behalf of American citizens whose interests are jeopardized by said decrees.

On October 1, 1919, again protesting, our State Department cabled Mexico:

In this view of the matter the Government of the United States, owing as it does, to its citizens the duty of protecting them in foreign lands, both in their persons and their property rights, must strongly protest against the action of the Mexican Government as outlined above and characterize it as threatening confiscation and a denial of justice.

The State Department expresses the hope that, pending the general settlement of this question and specific legislation by the Mexican Congress, the administrative authorities of Mexico will respect the rights of American citizens and will withdraw its insistence that they comply with the provisions of the decrees.

It must be again emphasized that no legislation has as yet been enacted by the Mexican Congress, but that all these protests are brought forth by insistence upon Carranza's decrees.

On January 9, 1917, we protested against a "further decree" requiring renouncement of citizenship by foreigners acquiring property in Mexico.

On January 31 we again announced the same position.

On December 5, 1918, the acting American consul at Nogales, Ariz., forwarded the department a copy of the proposed agrarian law for the State of Sonora, and on the 24th we protested that there was no provision for compensation for the taking over of American property under this law.

The American consul at Nogales was notified of this protest to Mexico.

We again protested on March 21, 1919.

On July 16, 1919, we learned that the legislature of Sonora had adopted the law, and earnestly protested and urged that prompt action be taken to prevent the coming into force of this measure threatening American interests.

The law was adopted and promulgated on July 3, 1919, to be effective July 27, 1919.

On August 14, we protested on the ground that the law was ambiguous; that the provisions fixing value violates article 117 of

the Mexican constitution; that the measure provides for the taking of property "by purely arbitrary administrative action"; * * * "which violates article 14 of the Mexican constitution"; etc., and we said in closing:

That the Mexican Government is hereby advised that the American Government will be forced to take up this question with the Mexican Government. * * * in the event that absolute and even-handed justice is denied American citizens.

We also protested directly through the consul to the governor of the State of Sonora, and this gentleman delivered us an answer covering 11 typewritten pages.

The evidence of Bracey Curtis and others, part 12, page 1833, is to the effect that in a personal interview with the governor of Sonora, the latter stated in effect that: "I have not put the law in effect. How are you hurt?"

This governor of the State of Sonora, to whom we have addressed these protests, is Adolfo de la Huerta, now, on the 25th day of May, by virtue of a declaration of some of the members of the Mexican Congress, announced to the world as the President of the Republic of Mexico.

The official notes of the United States Government to Mexico, with reference to all these matters, as well as to the Jenkins case, are printed in part 21 of the evidence, etc., taken by this committee.

JENKINS CASE.

With reference to the Jenkins case it can not be too strongly emphasized to your committee and through you to the American people, that the statement of Carranza that the Jenkins case is in the hands of the State authorities and that his government could not interfere, is a statement not only calculated but deliberately intended to mislead the American people.

Of course, taking the statement as true and at its face value, Americans respecting our form of government thought that possibly Mexico might be correct in the position which she assumed.

Carranza knew all the facts, as did every one of his sympathizers and supporters, including those who have recently overthrown him.

The governor of the State of Puebla is the brother of Luis Cabrera, recently secretary of the treasury of Mexico. He was appointed as governor and later came to be "elected" through the farcical returns made by his own officials and under the "free suffrage" proclamation heretofore referred to.

The State of Puebla had and yet has a constitution, safely laid away, and by Mr. Cabrera never lugged into sight.

By the provisions of this constitution judges must be elected: Cabrera had so little regard for even the forms of the constitution that he did not attempt to have the judge declared elected, but simply appointed one himself.

The constitution provides that no judge shall hold office who is not a citizen or resident of the State of Puebla. "Gov." Cabrera appointed a citizen and resident of the State of Jalisco.

In answer to a question as to this procedure, he justified his actions by stating that the legislature had suspended the constitution and laws and vested him with all power. And this is the man behind

whom Carranza has hidden and chuckled, while defying the United States and sending us communications calculated and intended to deceive the American people; meanwhile he worked his sweet will with an American citizen whom the testimony in the case shows to be of the highest character, and whose property the wolves of Carranza and Cabrera's selection and appointment are seeking to, and devouring.

CARRANZA PRO-GERMAN AND CENTRAL AMERICAN PLOTS.

As disclosed by the evidence in these hearings, Carranza and all his followers were pro-German during the war, and he directly, with certain of his followers, including Obregon, were interested in stirring up strife, trouble, and revolution in the countries to the south of Mexico; seeking to overthrow the established Governments of Nicaragua, Honduras, Guatemala, and through the assistance of one or two other States form a Latin-American Union with Mexico against the United States of America. (See testimony of C. E. Jones, Admiral Caperton, Commander Beauregard, and other evidence, pts. 20 and 22, pp. 2889, 3203 and 3216.)

The Carranza government was prosecuting a war against the United States during the period immediately prior and subsequent to Carranza's recognition by this country.

In pursuing the "plan of San Diego," American men, women, and children were killed in Texas inside the international boundary. American citizens driven from home, and American soldiers attacked and murdered at night. (See the testimony taken at San Antonio, Tex., pt. 8 of these hearings; also see note of Secretary Lansing, June 20, 1916, printed in pt. 8, pp. 1215 et seq., with note, "The report of the Secretary of State has my approval," signed "Woodrow Wilson.")

INTERFERENCE BY DEPARTMENTS THIS GOVERNMENT TRIAL VILLA—COLUMBUS MURDERERS.

The Pershing expedition went into Mexico with the announced and sole purpose of the capture of Pancho Villa and his fiends who were engaged with him in the massacre of Americans on American soil in the State of New Mexico, on March 9, 1916. Some of those engaged with Villa in this massacre were wounded and captured at Columbus; they were indicted in Luna County, N. Mex., for murder, and when ready to be tried a representative of the Department of Justice presented to the presiding judge a telegraphic request or suggestion from the War Department and Department of Justice of the United States that such trial should be postponed upon the ground that it might cause complications with Mexico.

The Supreme Court of Texas decided that Carranza was at war with the United States at this time, while this judge ruled against the contention of these murderers at Columbus, and that there was no state of war existing. (See testimony of Judge E. L. Medler, pt. 10, pp. 1647 et seq.)

CARRIZAL MASSACRE AND WITHDRAWAL AMERICAN FORCES THERE.

About the middle of June, 1916, while Pershing was yet in Mexico, a message was received by that general from Gen. Jacinto Trevino, of the Mexican Army, notifying Pershing to the effect that he should not move his troops south, east, or west.

Gen. Pershing immediately replied to the effect that he would move his troops in whatsoever direction pleased him and would only take orders from his own Government and that if he were attacked by Gen. Trevino's forces he would immediately attack Trevino with his entire military strength.

Within a day or two Pershing's expedition at Carrizal, under command of Capt. Boyd and Morey, and Lieut. Adair, were attacked by Trevino's forces at that place; Boyd and Adair were killed; about 15 colored troopers were killed, and several made prisoners.

Maj. Gen. Robert L. Howze, United States Army, in command of about 300 mounted troops, made his way to Santo Domingo Ranch within 9 miles of the battlefield at Carrizal, and rescued Capt. Morey and several of the troopers who had been wounded in the fight.

Testifying before this committee, Gen. Howze states that he then had 300 mounted troops within 9 miles of the battlefield, and, in answer to the question "Did you feel competent to deal with the situation as it existed at and around Carrizal with the troops you then had?" he answered "Yes."

Without being allowed to go to Carrizal he returned to Casas Grandes under orders. The bodies of the dead at Carrizal were recovered by civilians sent down from El Paso by Gen. Bell. (See testimony George Turner, colored trooper, pt. 12, p. 1561; testimony of Maj. Gen. Howze, pt. 12, p. 1568.)

Following this Carrizal massacre Secretary Lansing addressed his note to Carranza criticizing him in the severest terms. (See pt. 8, p. 1215.)

We attempted to adjust matters with Mexico through a conference between Gen. Hugh Scott and Gen. Obregon at El Paso. The result was "nil."

We agreed then to the appointment of a committee with three Mexicans and three Americans to discuss matters of difference. This committee met and conferred for some time. The Mexican members refused positively to discuss any differences until American troops were removed from Mexican soil.

Pershing was ordered out and—the committee adjourned without settling any differences.

Von Eckhardt was on such terms with Carranza that he could convey the Zimmerman note to Mexico, suggesting that Mexico should secure the assistance of the Japanese in a coalition against the United States, and should take over by conquest Texas, New Mexico, and Arizona.

This was exactly the old "plan of San Diego."

MEXICAN I. W. W. AGITATION IN THE UNITED STATES.

Under this plan Mexican laborers and others at Bisbee, Ariz., and at different points along the border of the United States and in different mining camps were stating to other Mexicans upon this

side that sooner or later they would take over the border States and return them to Mexico. (See testimony of Capt. Harry Wheeler, pt. 12, p. 1873, et seq.)

Thus agitations developing along radical lines in Bisbee continued and are yet continuing.

On December 13, 1919, the Army Intelligence reported that:

The radical movement reported last week as being fostered in northern Sonora by Juan Farrel, Jesus Palma, and Arnulfo Cardenas, is said to be extending north of the international line into the United States. Delegates from this organization have been preaching communism and Bolshevism among the miners on properties in Arizona. At one mine, the Tres de Mayo, situated 13 miles northeast of Nogales, Ariz., and 5 or 6 miles north of the international line, the appearance of these agitators resulted in such intolerable insolence on the part of the miners, and such threats of invasion from the Mexican side of the border, that the subdistrict commander at Nogales posted a Cavalry patrol in the neighborhood. This action quieted the agitation materially.

Another hot-bed of radicalism is said to be in northern Coahuila. Bolshevik agitators operating in that region have made the Sabinas mines their headquarters; laborers there do not deny their Bolsheviki affiliations. This organization is said to have sent delegates to a number of Texas towns, notably El Paso, Marfa, Alpine, Del Rio, Eagle Pass, San Antonio, Laredo, Brownsville, and Galveston.

The committee, from evidence in its possession, some of which has been given publicity, are convinced that Mr. Carranza and some of his advisers sought to take advantage of the recent strike of coal miners in the United States following the labor troubles in the steel industry; and the correspondence and papers, while they may be found in other portions of the printed testimony, are again set forth here as follows, to wit:

[Translation.]

V. C.
SEÑOR LIC. MANUEL AGUIRRE BERLANGA.

MEXICO, June 14, 1919.

ESTEEMED FRIEND: Señor Lino Caballo, bearer of this letter, is the person who, in company with two friends, will bring to you the manifestos and the plan which they desire to put into practice in the State of Texas.

This plan being very favorable for Mexico, please aid them in every way and give the necessary instructions in the frontier States.

I remain, your affectionate friend,

V. CARRANZA.

[Translation.]

V. C.
Licentiate MANUEL AGUIRRE BERLANGA.

MEXICO, August 19, 1919.

ESTEEMED FRIEND: The present (letter) will be handed you by Mr. Juan N. Garcia and the two friends from Texas who accompany him and, in accordance with our conversation, please give them the guaranties they request as well as the pecuniary elements they desire.

I remain, affectionately, your friend,

V. CARRANZA.

Num. 975, Words 20, Charges official. H. D. 9.30 a. m.

From Mexico, F. D., National Palace, July 5, 1919.

To Nuevo Laredo, Tamaulipas, via Federal (lines).

Mr. Melquiades Garcia, consul of Mexico; residence, Mexican Consulate, Laredo, Tex.

Chapultepec 3. Please deliver to Mr. Lino Caballo the sum of HGVIRO. PNFTS dollars, according to credentials he will present to you. I greet you.

V. CARRANZA.

No. 975. 10.40 a. m. F. R. C.

No. 1269. Words 25. Charges official H. D. 10.15 a. m.
 From Mexico, F. D., National Palace, July 5, 1919.
 To Nuevo Laredo Tamaulipas, via Federal (lines). Urgent.
 Mr. Lino Caballo, residence, Hotel Vega.

Your telegram No. 25 dated in Lampasas to the President. Mexican consul in Laredo, Tex., already has orders to furnish you amount you indicate. I salute you affectionately.

BARAGAN.

No. 1269, 11.45 a. m. F. R. C.

MEXICO CITY, *Dispatch No. 5.*

Inclosure No. 1.

MY DEAR * * *: Notwithstanding the extravagant and unrestrained character of my information I have pleasure in sending you, in accordance with your desire expressed during our recent conversation, the notes taken by a secret agent at a meeting held here on the 15th instant by Lodge 23 of the agitators and extremists who, including several I. W. W. agents, form in this city their plans of bolshevik character.

It seems that three delegates, two Americans and one Mexican, having arrived from the United States and presented themselves at the meeting, claimed that "the society" would be able at the beginning of next November to call a general strike of all miners and metal workers in the United States, that they have 3,000,000 adherents in that country where they will be able to seize one western and two Atlantic ports. They declare that a large number of American soldiers are preparing to take sides with them, that in a town of Colorado they will establish the capital of the reformed Government of the United States. It was stated further that handbills printed in Spanish would be sent from New York to Laredo by special carrier, announcing to Mexicans that the territory taken by the United States would be returned if the Mexican people agreed to join them. It was also stated that the strike, with many inducements, will be extended later to Mexico by those who join in the revolution in the United States.

As I have mentioned to you, the preposterous character of these statements does not appear to recommend credence.

I am, my dear * * *

Yours, very sincerely,

[Translated copy of telegrams.]

Number 958. Words, 28. Value, official. Time, 9.45 a. m.
 From Mexico, D. F., National Palace, Dec. 14, 1919.
 To Nuevo Laredo, Tamps., via Federal.
 Mr. Augustin Garza Peres; residence, Hotel Vega.

Contents your telegram No. 215 dated Monterrey noted. President states await there arrival of Luis N. Morrones, who will give you instructions appropriate actual circumstances. Greet you affectionately.

P. G. FARIAS,

Private Secretary of the President.

No. 958, 11.45 a. m. J. F.

Number 75. Words, 54. Value, official. Pass No. 1367. Time, 1.20 p. m.
 From Nuevo Laredo, Tamps., December 14, 1919.
 To Mexico, D. F., National Palace, via Federal.
 Mr. Pedro Gil Farias, private secretary to the President.

Your superior telegram No. 958. I have talked with Morrones here. He states does not deem trip convenient (or proper). Am leaving Tampico, where await instructions. Caballo will stop at Monterrey for few days with his family (or friends). Greet you respectfully.

AGUSTIN GARZA PEREZ.

No. 76. 1.20 p. m. F. J.

[From private report to committee.]

SAN ANTONIO, TEX., *December 22, 1919.*

Senator ALBERT B. FALL.

MY DEAR SENATOR: On December 14, 1919, Lino Caballo, Augustin Garza Peres, and D. H. Holguin arrived in Nuevo Laredo, Mexico, and registered at Hotel Vega from Monterrey, and were assigned to room No. 1. Their business was supposed to have been to confer with Luis N. Morrones, who arrived at Nuevo Laredo, Mexico,

on December 12, 1919, and registered at the Vega Hotel and was assigned to room No. 7. Morrones departed for Mexico City on December 17, 1919.

On November 8, 1919, Agustin Garza Perez and Antonio Villarreal arrived in Laredo, Texas, from El Paso and registered at the Pena Hotel, and left there on November 19 for Mexico City.

Sincerely,

One of these men, Garcia and various other Mexican agents, have been under observation for two years by United States officers and reports show the intimate connection of some of them with Mexican officials. (See Appendix in Gates testimony, pt. 19, p. 2846.)

Fantastic and ridiculous as the "Plan of San Diego," the Zimmerman proposition, the notes of the meeting of Lodge 23 in the city of Mexico, Carranza letters referring to the proposed revolution, may appear to the sober people of the United States; to the Mexican agents and I. W. W., they are yet schemes and plans which have been seriously contemplated and which we are justified in saying have not been abandoned.

The Mexican Government, as shown by the testimony of Admiral Caperton, has received material for munitions factory from Japan and, as is well known, has for years been seeking a more or less close alliance with that country.

The committee, of course, do not credit the suggestion that Japan itself contemplates any further alliance with Mexico at this time, than close trade relations, to secure which she may be willing to listen to wild suggestions from some enthusiastic hot-blooded Mexican. Nevertheless official reports of one of the departments of this Government contain some interesting suggestions which may justify consideration in connection with other matters contained in the present report.

JAPANESE.

Information has been received that there are more than 300 Japanese families established on the Limon Ranch, the million-acre property in the Xicotencatl district of Tamaulipas, reported some months ago as having been bought with a view to Japanese colonization. Much corn and sugar cane is raised on this land, and traces of oil are apparent.

It is reliably reported that Japanese liners arrive at the port of Salina Cruz, Oaxaca, every 10 days; that the Japs enter Mexico through that port in increasing numbers every year; that they practically control commerce on the Isthmus of Tehuantepec. It is further intimated that much of the anti-Chinese propaganda so widely disseminated along the west coast may be traced to Japanese sources; that they are largely responsible for government deportation of Chinese from Oaxaca to Chiapas and into Guatemala.

The Mexican Government has granted a concession to a Japanese concern known as the Matsumoto Trading Co. of Japan for the exploitation of all oil land on either side of the Tamesi River. Two representatives of this company, D. K. Komitte and T. A. Iskawa, have been in the region for some time inspecting the territory between Tampico and Tuxpam. They were also provided with safe conducts to go under cover into the Pelaez district with a view to purchasing some oil wells controlled by a Spanish company there. It is further reported that this Japanese concern is to finance the construction of a railroad between Tampico and Tuxpam.

Japanese interests are said to be planning to lay a cable from Salina Cruz, Oaxaca, to South American ports. In this connection attention is called to the information in the weekly report of November 8, 1919, regarding the virtual Japanese absorption of the Isthmus of Tehauntepec country; also reported concessions by the Mexican Government to Japanese concerns for the construction of three railroad lines across the isthmus.

There are also to be found, if necessary, a series of letters and correspondence between the Mexican foreign office and one of its ministers, one of which is as follows:

[Translation—Excerpts from letters.]

Eliseo Arredondo, from minister of foreign affairs.

MEXICO CITY, July 20, 1919.

There is much commercial activity in prospect and great manufacturing movement due to the initiative of rich Germans, to whom the government has the intention of lending its decided support.

Aguilar will advise you how the treaty with Japan is coming along and I remain convinced of the great advantage it will bring us for our national integrity.

MEXICAN ATTACKS ON PRESIDENT WILSON.

The committee has given publicity heretofore, through a report made to the President of the United States and otherwise, to certain documents the authenticity of which can not be disputed, showing the attitude of Carranza toward the President of the United States of America, as, for instance:

[Translation.

MINISTRY OF FOREIGN AFFAIRS,
Mexico City, July 6, 1919.

To His Excellency ELISEO ARREDONDO.

Envoy Extraordinary and Minister Plenipotentiary of Mexico in Madrid:

Your note dated the 4th of the past month received. In view of the internal crisis which the United States are experiencing, Wilson's policy is provoking indignation among the parties and the press is attacking the President severely. He goes from one blunder to another and shows each day more clearly that he is a perfectly incompetent person.

If the failure in Europe were not sufficient, it would be corroborated by the inexpedient notes that we have received from Washington and which President Carranza has answered with the impertinence those Yankees merit. I see in all this a criminal intention to intervene in our country. Time will show me to be right.

AGUILAR.

[Private correspondence of the President of the United Mexican States.]

MEXICO, D. F., June 29, 1919.

MISS HERMILA GALINDO,

Ignacio Ramírez Street, No. 6, City.

ESTEEMED YOUNG LADY: It is necessary that your book the Carranza Doctrine, be finished in a short time, since I desire that you immediately proceed to write a second part of it, for which purpose I shall shortly send you a "bluebook," which we are about to publish and which will serve to justify the attitude of my Government in its systematic hostility toward foreign speculators, especially Americans and English.

Do not forget my injunction to describe in lively colors the tortuosity of the American policy with relation to our country, causing the figure of Wilson to stand well out as the director of that policy. I also enjoin you to be very careful about the corrections which I have made in the original (manuscript) which you brought me.

I salute you affectionately,

V. CARRANZA.

These documents are only set forth herein as evidence of the treatment of this Government and its officials by the Mexican Government and its officials.

During all the years which we have just been discussing—that is, from prior to the recognition of Carranza in 1915 to and including the present period—American property owners and American citizens have been suffering indignities at the hands of Mexicans, while the loss of life has reached such proportions finally that the list of innocent American dead in Mexico, as shown on page A of this report, is appalling.

Your committee have endeavored under the ninth head in this general discussion, as shortly as possible, to convey some information as directed as to—

ANY AND ALL ACTS OF THE GOVERNMENT OF MEXICO AND ITS CITIZENS IN DEROGATION OF THE RIGHTS OF THE UNITED STATES OR OF ITS CITIZENS.

SUFFERING, STARVATION, DISEASE, AND ANARCHY THROUGHOUT MEXICO.

We will only direct your attention for a few moments in closing to conditions as existing among the people of Mexico themselves. We have referred to the loss of property and hope that we have shed some light upon physical conditions of the so-called Republic.

A reference to the report of Mr. ——— (Exhibit 1), whose name must necessarily be suppressed, attached to and made a part of this report, will be found not only enlightening but instructive. The witness making this report has been known to the chairman of the committee for approximately 30 years. He is thoroughly familiar with Mexico, having operated and mined in that country for a great many years and speaks Spanish with great fluency.

This report was made at the request of the committee that we might have the latest information based upon actual investigation extending from the Texas line over the National lines of Mexico to the City of Mexico, and back over the Central line and again to the American border, with side trips into the different States along the route.

Some of the statements may be considered of such an extravagant character as to need corroboration. For instance, Mr. ——— makes certain statements with reference to the prevalence of venereal diseases among the population of Mexico at this time.

The testimony of Miss Agnes C. Laut, part 2, page 370, will, while more specific in its character, merely serve to corroborate the statements made in the report referred to. Miss Laut is a writer of experience and a cultivated lady, who visited hospitals in the poorer districts, slums, and byways of Mexico, for the purpose of ascertaining and reporting to the Christian people of this country true conditions in Mexico as she found them.

At best, the population of Mexico is of slow growth as compared with that of other nations, largely because of the character of the different populations of the country and the fact that in the outlying districts there is little sanitation and are to be found but few physicians. The consequence is that while the estimated population in 1827 was approximately 7,500,000, the largest estimate which has ever been placed upon it since has been only 15,000,000. Of course it is impossible to say definitely now, as it always has been, what the population of Mexico really is.

From the testimony of various witnesses, as well as that of Mr. Henry Lane Wilson and Mr. ———, it is undoubtedly the fact that since 1910 the total population of Mexico, as of that date, has very materially decreased. Mr. ———'s estimate of that decrease at 5,000,000 out of the total may be exaggerated, but to those who know Mexico as he does, few would dare to contradict his statement.

For 10 years a new generation of boys has been reaching the age of 18 each year; each of those boys of the first period, that is to say, 1911, would now be 27 years of age and for 9 years will have known nothing but force and license and outlawry and robbery and violence and rape and rapine.

It was said 8 years ago that in the rural districts of practically every State in the Union, there remained not a girl over the age of 10 years, who had not been ravished by some marauder or bandit or soldier.

Thousands of Mexicans among the poorer classes have sought refuge in the United States for the past 10 years, for the purpose of gaining a livelihood and escaping starvation in their own country.

Within 60 days prior to the middle of March of this year, 1920, there crossed the river at the international boundary line between Eagle Pass and Brownsville, Tex., such large numbers of Mexicans that it was impossible for the immigration and custom officials, aided by the State officials, to keep accurate account of their number. From the best evidence obtainable by the committee (see pt. 14, pp. 2142 to 2164, testimony of various witnesses) the estimate upon this number, placed by those who were accustomed to, and whose business it was to handle Mexican labor, was that during this period 75,000 Mexicans from the central Mexican States of Michoacan, Guanajuato, and Jalisco, with some from Guerrero, came into the United States between the points mentioned.

The committee had the assistance of Government border officials, inspectors, etc.; of the Texas Rangers and of employment agents in interviewing these Mexicans, in the endeavor to ascertain the cause of their immigration from Mexico.

The universal story was that of famine, starvation, robbery, and outrage at the hands of their own people, both of Carrancistas and of those in revolution, who are always denominated by the Mexican poorer class as the "Villistas." The only difference, in so far as the testimony shows, in the treatment received by the poor of Mexico is that the "Villistas" left them a little something to eat while the Carrancistas took it all.

Rumblings of the present revolution also had evidently been heard by these people and many of them state they were tired of fighting and gave this as one reason for their immigration. All, however, had one story in common: Crops attempted to be raised were seized by bandits, and in many instances, wantonly destroyed by turning horses or other animals into the field, or even by burning the crops upon the ground.

This is hard for civilized people to realize, but yet if you turn to the testimony of one of your committees, taken in 1912, reincorporated part 17, page 2616, these hearings (testimony of Charles Smith), you will find evidence that even at that date different bands going through the country did not attempt to discriminate between fighting men and noncombatants, and that every little village was considered

a fair object of loot, the women the playthings to be taken to camp and dropped by the roadside as another little village is reached, where another supply of women and loot might be obtained.

Again this condition throws light upon the interesting subject of Mexico's population; that it is a fact that it is not a homogeneous people and Mexico not a nation but a population of different tribes with nothing, or little, in common between the different localities.

Again as to this and other like conditions, refer to the testimony of Harry C. Donoho, part 14, page 2130.

This is the story of June, 1919; a two days' trip horseback from San Fernando to Tuxpam, the richest agricultural district in southern Mexico:

We rode for two days through absolutely the richest agricultural district in Mexico, with the prettiest little farms one could imagine, and passed village after village and corn fields where everything had been burned, and every time we would come to a little farm house or little village I would go up and try to arouse some one, and during that entire two days ride we didn't see a single solitary soul. * * *

In the Balcazar district, over near Tanhujo, I found the Government had posted notices, adopting the plan of Wexler in Cuba, a concentration camp. Balcazar is also a rich agricultural district. * * * orders were that if the men were found outside the camp of Balcazar they would be hunted down and shot as rebels and they were not even permitted to plant their corn and their people were on the verge of starvation. * * *

I saw three women killed at El Hijo when the Carrancistas came in there. At the town of Anona the Carrancistas gathered all the old women and little children and told them to leave the city, to go into the mountains, that they were going to burn the city; they gathered the young women and girls up in a group, between 120 and 130, and took these girls and young women and delivered them over to the Carranza garrison at Los Naranjos, and the town was burned.

This witness is testifying as an eyewitness.

Again to the testimony of Mr. ———, part 16, page 2459:

We rode up * * * and called for some water. A woman answered that they had water but had no clothes and could not bring it out to us.

During the same trip we saw a dozen people waiting around a sick cow until she died, and the owner skinned her; then they cut up and ate the meat. I asked them if they were not afraid to do it and they answered that they had as well die from bad meat as to starve to death. The people away from mining camps eat lizards, toads, burro meat, and anything they can get.

Reports in the State Department will verify the evidence of eyewitnesses as reported by your committee.

Mexico is without a government except as the form changes and one person or another, by force of arms, claims to represent a government.

The people of Mexico, that is, that great voiceless, submerged, inarticulate mass, the "80 per cent" whom President Wilson saw from the platform at Indianapolis several years since, are inarticulate except when they reach civilization on this side of the line and seek work from supposedly despised Americans, that they may live and hope to send back a few dollars with which to rescue their families from starvation.

Their condition has grown worse from day to day, month to month, and year to year, and for 10 years the United States of America, that great Christian civilized Nation of the world, has stood by "fiddling" while Mexico burned.

**WHAT, IF ANY, MEASURES SHOULD BE TAKEN TO PREVENT A
RECURRENCE OF SUCH OUTRAGES, ETC.**

When this committee was appointed—and until it was completing its investigations along the international border, March 29—Carranza was the President of Mexico.

Since that time Carranza has been overthrown, by an armed revolution during which he is reported to have met his death.

Carranza had been recognized by our Government as *de jure* President of Mexico, March 3, 1917, or a little later.

This was a "conditional" recognition, as will be seen by reference to the note of this Government through "Representative" Parker at Queretaro, January 22, 1917.

Recognition is, as a general rule, absolute and irrevocable.

Nevertheless, it may happen, by way of exception, that the recognition is conditional or is given *sub modo*. Such is the case when certain charges or restrictions are imposed on a new state at the time when its independent existence is recognized, such as an obligatory neutrality, commercial liberty, or religious liberty. If the restriction constitutes a condition, the powers which have subjected their recognition to it have the right to insist upon the new State's conforming itself to the condition imposed, and if it fails, to consider their recognition as not given.

Examples of the restrictions imposed on the independence of a new State are the permanent neutrality of Belgium; the restrictions safeguarding religious liberty, imposed not only on Bulgaria, a semisovereign State, by Article V of the Treaty of Berlin, but also on Montenegro by Article XXVII of the same treaty; on Serbia by Article XXXV, and on Roumania by Article XLIV; the restrictions imposed on the independent State of the Congo, in favor of commercial freedom, by the general act of the Congress of Berlin of February 26, 1885.

So says John Bassett Moore.

That an opportunity might be made peaceably to secure redress for the wrongs which American citizens and the American Government had suffered for so many years at the hands of Mexico and Carranza, one of the members of this committee upon his personal initiative, offered a resolution on December 3, 1919, requesting the President to withdraw recognition of the Carranza government.

Had the President pursued the course suggested, we (the United States) would have been in a position to follow a course which might have resulted in an understanding with that Government as a prerequisite to again recognizing it, or left us free to pursue any other course.

Through the revolution and the death of Carranza we again have the opportunity heretofore presented upon several different occasions: To demand and secure assurances for the protection of our citizens in Mexico and upon her borders; for the performance by Mexico of her national and international obligations; for offering our effective assistance to the starving, downtrodden, bandit-ridden, and harassed people of Mexico, and for restoring the status of peace to our own continent.

We are informed that a new "government" is being formed in Mexico. In the ordinary course we would be called upon to deal with this new condition.

OUR COURSE SHOULD BE CLEAR.

We should first follow one policy, viz:

(a) Wait before recognizing Gov. de la Huerta as President of Mexico until it shall be assured that his election is approved by the Mexican people and that his administration is possessed of stability to endure and of the disposition to comply with the rules of international comity and the obligations of treaties. (See Seward to Foster, May 16, 1877.)

(b) We should let everyone who assumes to exercise authority in any part of Mexico know in the most unequivocal way that we shall vigilantly watch the fortunes of those Americans who can not get away, and shall hold those responsible for their sufferings and losses to a definite reckoning. That can be and will be made plain beyond the possibility of a misunderstanding. (President Wilson's address to Congress on Mexican conditions, Aug. 27, 1913.)

(c) Repeat to the Mexicans now what Evarts said in 1878:

"The first duty of a government is to protect life and property. This is a paramount obligation. For this governments are instituted, and governments neglecting or failing to perform it become worse than useless. This duty the Government of the United States has determined to perform to the extent of its power toward its citizens on the border. It is not solicitous; it never has been, about the methods or ways in which that protection shall be accomplished, whether by formal treaty stipulation or by informal convention; whether by the action of judicial tribunals or that of military forces. Protection in fact to American lives and property is the sole point upon which the United States are tenacious."

Then, if satisfied as to (a) recognize De la Huerta (or successor) upon conditions plainly expressed and affirmatively accepted, that—

Article 130 of the constitution of 1917 shall not apply to American missionaries, preachers, ministers, teachers, or American schools, nor to American periodicals, but that American missionaries, ministers, and teachers shall be allowed freely to enter, pass through, and reside in Mexico, there to freely reside, preach, teach, and write, and hold property and conduct schools without interference by the authorities so long as such ministers, teachers, or missionaries do not participate in Mexican politics or revolutions.

This clause of the constitution provides that no one except a Mexican by birth, may be a minister of any religious creed in Mexico: that neither in public or private shall such minister criticize the fundamental laws of the country, the authorities in particular or the Government in general.

That no periodical of a religious character shall comment upon any political affairs of the Nation, nor publish any information regarding the acts of the authorities or of private individuals in, so far as the latter have to do with public affairs.

That ministers are incapable legally of inheriting by will from ministers of the same creed, or from any private individuals to whom they are not related by blood within the fourth degree, etc.

That article 3 shall not apply to any American teaching or conducting primary schools.

This article prohibits any minister or any religious corporation establishing or directing schools of primary instruction.

That none of the provisions of article 27 of said constitution with reference to limitations upon rights of property heretofore acquired by Americans, or which may hereafter be acquired, shall apply to Americans except where the limitation is written in the deed, lease, or other instrument of title, and particularly:

The provision of said article to the effect that the subsoil products other than of metalliferous minerals shall be the property of the National Government of Mexico, to be disposed of by decree or by law, shall not apply to the property of American citizens purchasing from other individuals or from State, national, or municipal authorities of Mexico, unless the limitation or reservation with reference to such subsoil products shall be written in the original deed or other instrument of conveyance transferring the surface of the property to such American purchaser.

That the prohibition against the ownership of property in lands, waters, or their appurtenances, or against the concessions for the development of mines, waters, or mineral fuels in the Republic to foreigners, shall not apply to American citizens.

That subsection 2 of said article 27 shall not apply to church properties or Episcopal residences, rectories, seminaries, orphan asylums, or collegiate establishments of religious institutions or schools held or owned by Americans.

(This clause operates without condemnation or other process to confiscate the property above mentioned.)

That the subdivisions of subsection 7 of article 27 described as a, b, c, d, and e shall not apply to the property of any Americans now owned under whatsoever title or which may hereafter be acquired, except where distinct reservations and limitations covering such provisions are affirmatively set out in the documents or evidences of title or transfer of such property.

(This is the provision under which the State governments are directed to and under which Sonora, through De la Huerta as governor, attempted to subdivide purely grazing pastures, positively unfitted for cultivation, owned by American citizens and others, without judicial process, but by mere administrative action, both as to survey and as to fixing the value, and in payment for which the owners are forced to accept what is known as an agrarian bond of the State of Sonora over our protests and as a matter of fact known to be entirely worthless.)

That article 33 of said constitution, providing that "The Executive shall have the exclusive right to expel from the Republic forthwith and without judicial process any foreigner whose presence he may deem inexpedient," shall not apply to American citizens who shall, when they so demand, have access to their consulate or consular agent or diplomatic representative and have the right to avail themselves of the assistance of such officials, and until after due judicial proceedings upon application of such American.

That such agreement should provide for the immediate appointment of a claims commission to pass on all claims for damage to Americans in Mexico, or upon its boundaries, the committee to be composed of American citizens appointed by the President of the United States, and a like number of Mexican citizens to be appointed as that Government may in said agreement provide, and that the decision of this commission shall be binding upon the respective governments and shall be immediately carried out by the payment of the damages adjudged.

That a like commission should be in such agreement provided for the settlement of disputes concerning the international boundary and waters of the Rio Grande River and of the Colorado River, and particularly the Chamizal dispute and the Colorado River irrigation complication, with power to such commission to render a decision for the payment of money and transfer of property, if any, necessary in the final settlement of such dispute.

It is not necessary to attempt here to point out all the provisions of this constitution of a similar character to those above referred to.

Having recognized any Mexican government upon the conditions as above set forth, then not only the moral support but financial aid without stint in so far as same is necessary for the refunding of all Mexican bonds, including external as well as the internal debt, with additional funds in sufficient amounts to rehabilitate all Mexican railroads and to maintain same, and also sufficient amounts to enable the recognized government to reestablish, organize, and thoroughly equip a purely national army not belonging to any particular chief, chieftain, or general, but operating solely under the national government, which shall immediately proceed where necessary to disarm all other armed forces or individuals in the Republic; together with sufficient funds to enable the Mexican Government to buy and pay for all arms and equipment which may be brought in and surrendered by individuals or armed bands or so-called armies.

Preferably this aid should be extended by the people of the United States as a national loan from them to the people of Mexico, upon long time and with moderate rates of interest, so that Mexico may not be compelled to refund her debt and finance her necessities through appeal to individuals and by granting special privileges or concessions to such individuals.

We have the *legal right* and it is *our duty* to refuse to recognize any government in Mexico which will not agree by way of a treaty to the foregoing conditions of recognition.

Should any government proposing to be recognized refuse to accede to the foregoing conditions of recognition, immediate renewed notice should be given *as suggested under b and c*, with the statement to the de facto officials wherever found:

That action would follow the warning in each and every case where action was necessary to preserve life or the property of an American citizen.

Following such warnings and statements, should such government not theretofore have restored order and peace in the Republic of Mexico and effectively extended protection to our citizens *after due notice to the Mexican people that we would not war with them but in the words of McKinley that—*

“First. In the cause of humanity and to put an end to the barbarities, bloodshed, starvation, and horrible miseries now existing there, and which the parties to the conflict are either unable or unwilling to stop or mitigate”

That we will send a police force consisting of the naval and military forces of our Government into the Republic of Mexico to open and maintain open every line of communication between the City of Mexico and every seaport and every border port of Mexico.

And that we owe to our citizens in Mexico and those who have been driven out of that country, the duty, as McKinley said:

"To afford them that protection and indemnity for life and property which no government there can or will afford and to that end to terminate the conditions that deprive them of legal protection."

In the giving notice that we are not warring upon the Mexican people, we should request their assistance; or at least that they refrain from joining any armed bands in any attacks upon our troops or forces, whose purpose would simply be the restoration of peace and order; protection of our own citizens; protection of Mexican citizens; restoration of American citizens to their properties; the affording of opportunity for the opening of mines, fields, and factories; and last, to afford the opportunity for the Mexican people themselves, in whatsoever manner they desire, to constitute a Mexican government of serious, competent, honest, and honorable men who will meet the civilized world upon a friendly ground and bind themselves to deal with other people as they themselves would be dealt with.

Respectfully submitted.

ALBERT B. FALL,
Chairman.
FRANK B. BRANDEGEE,
M. A. SMITH,
Subcommittee.

WASHINGTON, D. C., *May 28, 1920.*

Exhibit 1.

[Confidential.]

SAN ANTONIO, TEX., April 17, 1920.

Senator ALBERT FALL.

Senate Chamber, Washington, D. C.

MY DEAR SENATOR: After a four weeks' trip into Mexico, I have returned home unharmed and without meeting with any accident. Thinking that perhaps you would be interested to learn my impression of things Mexican as they appeared to me, with an outline of present conditions and tendencies from my point of view, I am writing this letter.

It is needless to inform you that although the entire committees elected to investigate Mexican affairs are censured, as busybodies, upon your head as chairman of the committee is concentrated the hatred and curses of the Carranza tribe. I found, however, amongst a certain class approval of the committee's work. The opinion of this class is that conditions continue to grow worse and there is no way to improve them without the aid and assistance of the American Government.

On March 15 I crossed the Rio Grande into Laredo, Mexico, and immediately the destruction and ruin wrought by the revolution became evident on every side in the shape of burned and dynamited houses and other properties, only a few of which have been repaired. Along the railroad line between Laredo and Monterrey, capital of the State of Nuevo Leon, all section houses, stations, water tanks, and much private property presented a scene of ruin and desolation that can only be appreciated by seeing it. Upon our arrival at Monterrey, we found the fine depot there in ruins, and although this happened several years ago, there is no sign of restoration, which hardly agrees with the claim that Mexico is again enjoying peace and prosperity. At 8.30 p. m. we arrived at Saltillo where we were sidetracked till 3.30 a. m. of the 16th, in order to avoid passing through a certain stretch of country regarded as a danger zone between Saltillo and San Luis Potosi, in the night. And the same ruin of railroad and private property was noticeable here as on the previous day.

I spent the 17th, 18th, and 19th at San Luis Potosi, and although I saw some wreckage in the city, upon the whole it had suffered the least of all cities I visited. I found the magnificent depot, which was finished in 1910, in ruins, but it perhaps was an accident and not mere vandalism which produced most of the wreckage wrought by the revolution. I was informed by creditable witnesses that there are points less than 50 miles from the city which it would be very unsafe for anyone who wore even respectable clothes, to venture. Most of the large haciendas are deserted with all their improvements in a state of absolute ruin and unfortunately this applies to the whole State as well as adjoining States.

On the 19th, continuing south, I found the 326 miles of railroad which connects San Luis Potosi and Mexico City with its stations, section houses, water tanks and many of the private properties adjacent to the road, in the same state of ruin and abandonment as marked the 477 miles between Laredo and San Luis Potosi. It is well known that the physical condition of this road was exceptionally fine prior to the present revolution, and few roads anywhere were better administered.

I tarried eight days in Mexico City, and while there I visited many of the suburbs and although I found the city congested by a large increase of population, the result of the country people seeking safety, I found everywhere signs of decadence without being able to observe any return to that appearance of prosperity and progress so noticeable in the years just preceding the revolution begun by Madero.

In talking with people in the city I found a universal cord of distrust and anxiety, fearful that another period of revolution was approaching. And this feeling was little less noticeable among the supporters of Carranza than the other factions. Among the "gente decente" I found no rainbow of promise, no star of hope, through the election of any of the candidates now aspiring for the presidency: they regard them all as men who have already been tried and found wanting, and believe nothing good can spring from a source so vile.

I saw Mr. Bonillas's entrance into the City of Mexico on March 21. Mr. ——— and myself went to the Alameda to see the promised parade, and while waiting there we saw several hundred soldiers and many thousands of civilians—among whom were the different guilds of laborers—pass by on their way to the depot, and we felt justi-

fied in expecting to see a large and, to us, interesting parade, in which perhaps would be Mr. Carranza, or at least most of his cabinet. But to our utter astonishment, Mr. Bonillas, like a flash of lightning from a clear sky, suddenly darted past us in an auto surrounded by an escort of horsemen, at the highest rate of speed possible, as if afraid of an ambush. And it is probable that such a precaution on his part was prudent, as about 300 yards before he reached us in the vicinity of the Iron Horse, a demonstration was made against him by the followers of Obregon, so it was said. And this was the signal for an onslaught by the police, which resulted in the arrest of about 147 persons, among them 5 deputies, partisans of Obregon. It was claimed that the laborers that went to the depot to welcome Bonillas were each paid 1 peso for such a spontaneous display of patriotism. Although I do not know, yet from inquiry I believe this charge was true, in part at least.

I was unable to learn anything of interest about the status of Mr. Jenkins. Most of the Americans with whom I talked think he has been very shabbily treated by our Government. While I was there the papers of the city had very conspicuous headlines saying that Mr. Jenkins had renounced his American citizenship. However, in reading the news article, it was clear that he had done nothing of the kind. He had, however, agreed to comply with that article in the new constitution which permitted an American citizen to hold property if he promises not to appeal to his country for protection for said property. Mr Jenkins, according to this article, in order to save a certain water right he claimed, submitted to this demand of the Government, which seemed to regard it as a great victory. In spite of the fact that our Government has stated that such renunciation on the part of an American citizen under duress could not operate.

On the 28th I left Mexico City over the old Mexican Central line, and the same signs of decadence and ruin were observable there that was seen on the line between Laredo and Mexico City in the shape of skeletons of trains burned, depots wrecked, section houses destroyed, and water tanks in ruin, with gnarled rails so twisted by heating them with burning ties as to render them useless, visible all along the line. I will give you as a concrete example of travel over this line the time required to reach Juarez, when reached at all, and the prior-war time. Prior to the revolution it took two days and nights, whereas now it takes five days and four nights, with a very inferior train service.

The 29th and 30th I spent in Zacatecas, a mere wreck of its prerevolutionary status. The census of 1910 showed a population of 28,000, whereas now the consensus of opinion of those living there is that there are not more than 9,000 inhabitants there. While only a few of the large buildings in the center of the city have been destroyed, thousands of houses on the outskirts are tumbling down from mere neglect and abandonment. The large building that housed most of the state offices, with the post office and several of the federal offices, was blown down and no effort to rebuild it has ever been made.

There is an incipient mining revival at Zacatecas, but it has not yet gone far enough to tell how it will end. Several large English concerns, already heavily interested in mining in the country, but with increased capital from home, have taken options on several of the old historic mines of the camp, besides making many denunciations of abandoned ground. This activity of the English extends to a large part of the Republic, and only the future can tell what the results will be. One of these same English concerns have leased a large mine at Fresnillo from the Robert Towne interests and are busily engaged in enlarging a 700-ton mill to a capacity to treat 2,000 tons a day.

On the 31st I continued my trail north and found the same wreckage and ruin everywhere. At Calera, 20 miles north of Zacatecas, long an important place with offices and large station buildings, etc., we found nothing but standing walls, with, if possible, a more desolate and ruined appearance greeting us farther north. At Canitas, where you have doubtless been many times, when you were at Nieves (1883-84)—as it was the station for that camp—I took the short cut route to Durango City, built since the revolution began. And although this seems to be about the most dilapidated and abandoned region I saw, presenting the appearance of the mouth of a volcano when compared with the more distant regions affected by it, but the depots, section houses, and water tanks all being of stone and new, presented a nice appearance when compared to some other stretches over which I had passed. But upon visiting the pueblos and the country districts the reverse is true, as it is the worst I saw on my entire trip.

I made a side trip to Sombrerete, which prior to the revolution was a very important mining camp, as well as the headquarters for large stock growing, especially sheep. This place itself—although I was informed there are other places yet worse in the same region—but here I saw the worst vandalism I met with anywhere. Hundreds of houses have been wrecked on the main streets of the pueblo during the battle that was fought

there on the 8th, 9th, and 10th of May, 1911, when the Madero forces captured it, and they remain now just as they were left then, outside of removing some of the debris from the streets. Due to the bad conditions prevailing there and the impossibility of living there, other hundreds of houses were abandoned and the pueblo is now only a shade of its prerevolutionary size and importance. It then had a population of over 10,000 souls, now it has less than 3,000. The Zaragoza Hacienda, owned by Elorduy brothers, large stockmen, consisting of 433,000 acres, stocked with 200,000 head of sheep, 10,000 cattle, and 8,000 horses and mules, situated about 20 miles north of Sombrerete, is now entirely denuded of all its stock and the fences and all other improvements are completely ruined except some of the walls to their houses. This was a model ranch, and besides the stock, 21,000 acres was cultivated in corn, wheat, beans, and barley. This is but a sample of what has happened to all the ranches in that part of the country, and will with equal fidelity apply to the majority of the ranches in all parts of the Republic.

These men tell me that as full-handed as they were when the revolution came, it will be absolutely impossible for them to restock their place, and they propose to ask the aid of American capital to join them and furnish the capital to restock it, taking one-half interest in the business with them. These same men insist that a large part of the large ranches of Mexico will inevitably fall into the hands of Americans because the owners in many cases not only lack funds to rehabilitate their properties, but many of them have large mortgages hanging over them, preventing them absolutely from any hope of reestablishing their business.

April 1 I continued my trip to Durango City and found the decay and ruin no less pronounced here than between Canitas and Sombrerete. I was engaged in conversation by an apparently educated and fairly decent looking fellow from San Luis Potosi and the burden of his conversation was politics. He was a very strong Obregonist and openly avowed that if Mr. Obregon failed of election that his partisans were determined to put him in the chair even though it required war to do it. I found another party in Durango City expressing himself in the same manner, and in fact I found considerable numbers of that opinion and unafraid to express their opinions.

Many of the very best buildings of Durango City were dynamited and burned after they had been looted, and the reconstruction there is insignificant to date. They even carried their destruction so far that some overzealous general cut down the great shade trees in the main plaza of the city and made a desert of what had formerly been a pleasant oasis in which the weary traveler rested in Durango.

I remained three days and during that time I learned that business was at a very low ebb. I soon discovered—what I had been told and observed in several other cities—that the stocks of goods were very short and that stores that in prewar days had carried a stock of 500,000 pesos were now carrying nearer 50,000 stock, and the same applies to lesser stocks, and is very general throughout the country. I was there Holy Week, and the streets were lighted up, but I was told by residents that was only a gala day event and not an everyday occurrence. I found many of the ranchers living in the city and afraid to even visit their places for more than a few hours, if at all. The State and city treasuries are fundless and the governor has attempted to impose a half per cent on all sales, and there is a fight on about it now, the merchants claiming that they are paying every cent of taxes that they possibly can.

A railroad is being slowly extended into the timber region of the State west from the city. I am told there has been no trouble in the Sierra Madres for a long time, the poverty of the region in eatables, etc., prevents them from remaining there. The bandits or patriots, just as one chooses to dub them, stay in the mountains close to the plains or large centers of population, since it is in such places they can secure something to live on. In the mountain ranges between Durango City and Torreon these bandits live and prey upon the people living there. A common idea among Americans is that if we had war with Mexico guerrilla bands would go to the mountains, and there play havoc with our soldiers. Nothing is more unlikely than this, since it would be absolutely impossible for them to live in that region a large part of the year.

On the 5th I continued my trip to Torreon, and found the wreckage and ruin little less accentuated than in other parts of the trip. I found that considerable vandalism had been committed at Villa Lerdo, Gomez Palacios, and Torreon, the last named the least damaged. Although Torreon was very dirty and far from prepossessing as a place to live, yet I easily observed a vigor and energy that I had not encountered elsewhere. Torreon has been blessed with a very fine cotton crop, for which a very high price was obtained. This brought to that city a large amount of new capital far beyond the usual lot of such things. The cotton crop I was informed must have averaged at least 1½ bales to the acre, and this was sold at about 40 cents a pound, an unusual yield which was sold at an unusual price.

There is some activity among the mines, with many, owing to the high price of the metals, anxious to start operations, but they are laboring under many difficulties and beset with many obstacles in the shape of lack of supplies of all kinds, shortness of labor and the dilapidated condition of the transportation business of the country. The smelter at Velardena is going ahead slowly, the Mapimi is running fairly well, and the Torreon smelter is preparing to start up soon. With the present political unrest and a universal fear of a new revolution it is difficult to make a guess that is worthy of consideration of what will be the result of the present attempt to open the mines in so many regions at once.

I visited Mr. ———, who as you know was a forced guest of Gen. Villa for 15 days during the month of February. He says of his capture that: "I was awakened about 2 a. m. by my mozo ushering two or three men into my bedroom. My first thought was that it was an attempt to rob me, and I grabbed my pistol, but, seeing the house full of men, I gave it up. I was commanded to get up and dress, which I did. I was permitted to carry a great coat with me, which I found to be convenient as well as great comfort, as the nights were cold.

I was put on a horse that was not overly prepossessing, dressed with a saddle a little worse than the horse, and without stirrups. We rode all that day toward the mountains. I soon understood that Villa had about 80 men in this bodyguard of his, as he called it. This band was well armed and well mounted and carried about 250 cartridges each. The living was rather hard, consisting mostly of tortillas and beans, since, due to the lack of stock in the region through which we traveled, it was impossible to have meat. From time to time we ran onto some small ranchito where a chicken or two was found, and I was always invited on those gala occasions.

Villa told ——— that there would be a united effort made against Carranza some time during the summer, and he thought it would not be until after the presidential election had taken place, as he thought that would furnish a new issue for patriots to rally around.

He says that Villa was shot twice, once above and once below the right knee, but that now he is just as well as he ever was and presents the appearance of a man of steel. He says that while riding along one day Villa came up behind him and told him that he could run two leagues, and he replied that he did not doubt it. A few hours later he came up by his side, jumped off his horse and struck a run, and he kept it up for about 5 miles and forced him to prod his horse into a gallop most of the time.

On the 8th I traveled from Torreon to Saltillo, over the Coahuila Pacific, 191 miles, and found the wreckage and destruction no less pronounced than on the rest of my trip to that point. I wired Mr. ——— to meet me, if convenient, at the station of Parras. He, without any questioning on my part, at once told me that any one who believed that conditions in Mexico were improving were simply mistaken. His opinion is that there is no improvement at all, but there is a gradual decay and disintegration in everything and in all directions. He is working a ranch about four miles from the pueblo, but will not live there, fearful that some freebooters who have long made their home in a mountain range about 10 miles north of the place, might seize him and hold him for ransom. This band that has made those mountains their home for a long time are immune from harm at the hands of Carranza's forces, and this, according to his way of thinking, is conclusive proof that Carranza's crowd do not want them lest their calling as generals might end and leave them without a job.

Upon arriving at Saltillo we found the streets that approached the railroad stations brilliantly lighted, but upon more careful examination we saw that all others were conspicuous for lack of lights. Saltillo suffered some in the way of vandalism but less than most other cities of the Republic. With the exception of a very small area lying adjacent to the city all the surrounding country is laying fallow and the owners of most of the ranches are afraid to even visit them, let alone try to live on them and work them. All the region to the east of the city, which is by far the best part of that State, is nonproductive, hence as a natural consequence the city is cut off from most of its support and business is very dull. As in Durango I noticed that the stocks of goods were very reduced compared to those carried before the revolution began. Here, as elsewhere, I found much discussion of politics with considerable bitterness displayed in many instances. There is much fear of a revolution as soon as the election is over, as most of the people believe it is a foregone thing that Bonillas will either be made the President or that Mr. Carranza will use Bonillas to create a wrangle, and he will thereupon ask Congress to declare the election illegal and be asked to remain till a new election can be held.

On the 10th I returned to Laredo, and crossed over the bridge the next morning, without other incident than being asked if I had any gold on my person. I replied

by opening my purse, I showed 35 pesos Mexican gold and \$10 American gold piece, and offered them the Mexican while I retained the American gold, but they said that I could not take any gold out with me. I received American bills for it. I thought it rather exacting that I was asked to give up our own national coin, but made no objection as it was of no importance to me. American gold goes there everywhere and in most places paper money goes also, but gold is preferred by a large part of the people, and some refuse to accept our paper money at all.

I will say that prior to the revolution I was a frequent traveler over the same route I was traveling on my recent trip, and in those days everything looked new, well preserved, and the people all prosperous, with plenty of food even for the poorest to eat. The railroads were all in good shape, with fine trains always on hand to accommodate any demand that might be made upon them, and at a very cheap rate. As with the passenger, so with the freight, which was both cheap and well served. I sometimes fear that the so-called progressives and the would-be reformers may in time bring our country to just such a state as now exists there. I have concluded that the words "progressive" and "reformer" are merely used by most people to give to airy nothingness a local habitation and a name, and are nothing more than an incipient socialism that gradually grades into anarchism.

The finances of the country are in a deplorable condition. Many imagine that cash is very bountiful in Mexico now, deceived by a mere appearance as seen in the hands of individuals. They do not stop to consider that there are no banks, hence no checks or other evidences of liquidation that usually enter so largely into circulation. With 100 pesos of Mexican gold one seems to be loaded down with cash, whereas in case of a check even for 10,000 pesos we see little evidence of the transaction. So, with bills, one carries 500 or 1,000 pesos in bills, in his vest pocket and it attracts no attention, but with the same amount of gold he has all his pockets full.

The States, cities, and Federal treasuries are all bankrupt, and they are trying to raise a higher tax on unused properties and unproductive business, which sooner or later will put them all in the municipal pawnshop. There are no funds to pay teachers, to meet the governmental obligations, or to keep the public utilities in working order. The report from the City of Mexico shows that the impoverished people are called upon to raise for the Federal Government nearly double what it did during the prosperous years under Diaz. If such a policy is followed instead of using the surplus or the productive energy of the people it is like a bear hibernating, which is consuming its surplus of fat—a course that if continued long enough will ultimately bring on death by starvation. The 109,000,000 or 110,000,000 pesos raised by Diaz in 1909 and 1910 left a surplus of 29,000,000 pesos, and it came from business transacted and not as a direct tax upon all property.

There is a dearth of change in Mexico now that renders all business troublesome and expensive. One seldom sees any silver change, and while this applies to the whole country it is absolutely so with reference to the City of Mexico, being a little less pronounced in the States. The change in the city consists of the 50 centavos and 1 peso bills; the 1, 2, 5, 10, and 20 centavos copper coins, with an occasional nickel; and besides, and the most convenient elements as they are more plentiful, are the 5 and 10 centavos street car tickets, which are redeemable in gold coin. It is impossible to understand why the Government does not coin plenty of small silver change, as there is an abundance of silver being produced there to quickly supply any deficiency that could exist for small change in business transactions. There has been a bitter fight made against the new paper money, and the laborers when they accept it do so with the proviso that it must be redeemed by those who issue it upon demand, and those companies that use it have regular days for redemption.

It is very harmful and renders small business, which represents a large part of the business, as the poor people of Mexico buy in extremely small quantities, and to try to make these deals without plenty of small change is costly and troublesome. Recently the Government has bought a large lot of copper which it intends to coin for change, and although this would be very burdensome for large transactions, it will facilitate the smaller ones. To give you an idea how lack of change affects business, it is sufficient to inform you that often to secure change costs from 4 to 10 per cent. In buying a paper which costs 6 cents in the city it is very seldom that the exact change can be made, and hence the paper usually costs from 1 to 4 cents more than its price, and the same is true when paying for a shave or a shoe shine. On the street cars one is easily accommodated, as the price is either 5 or 10 centavos, and one hands over a 50-centavo bill, and he gets back the exact change in street-car tickets, which furnish him ready change for some other transaction. American change is being used largely in the northern States and this relieves the situation there.

Transportation difficulties and handicaps would, were there no other obstacles to combat, render business very difficult and place upon it such a burden that it would

not thrive as we now find it in Mexico. I will cite two or three instances that merely show the rates paid without mention of the delay and other burdens that oppress it. Mr. Carlos Bently, of Zacatecas, had an auto shipped from Piedras Negras to Zacatecas, and as nothing less than a carload would be received as freight he was compelled to pay 425 pesos, the minimum charge for express between those two points. Had he shipped a full carload he would have had to pay the 425 minimum charge with the express at the usual rate on the other three cars. It seems that the Government will not accept any freight, but has turned everything to express. This hardly agrees with the saying that there is nothing in a name. It is a case in which by a play upon words a maximum of cost is made for a minimum of performance. I saw a waybill on a carload of oranges from Guadalajara to Saltillo, about 600 miles, showing a charge of 898 pesos for that service. This, too, was express.

This does not apply to many private companies and individuals who are operating trains over the Government lines. They ship heavy stuff as freight and in order to facilitate their own business they are forced to grant the best rates they can. These concerns are badly handicapped, too, as they are compelled to keep up and run their own trains and pay the Government the regular freight rates as though it had been done by the Government.

The labor situation is in a bad way just now, and to the man who uses his common sense, it is distressingly difficult to figure out either an antidote or a remedy. The laborers are restless, dissatisfied, and unreliable, accompanied with an apparent scarcity even though business and industry of all kinds are at almost a standstill. This condition certainly forecasts a tremendous scarcity should the country again enter upon an era of reconstruction relieved of the incubus of revolution.

I saw where Mr. ——— in his testimony before your committee seems to imagine that Mexico has not lost more than 2,000,000 people since the revolution began, but I have talked and figured on that question and feel that I am within the truth when I say that Mexico has lost not less than one-third of all her population. I figure that from 200,000 to 300,000 have perished directly from fighting in the war, nearer the former than the latter number, 300,000 have left the country permanently, and 400,000 temporarily.

But the great losses have been from death, from starvation and sickness. Doctors whom I know well and who have kept in touch with the situation through the entire duration of the revolution, all agree that the deaths have been alarming at some periods. For a long time at Zacatecas there was a death rate of from 40 to 50 a day from starvation and sickness, largely due to malnutrition, and the same was true of almost every town and all over the country at different periods since the devastation began. I was talking with * * * a few days ago in Torreon, and he told me he had seen them die there by the thousands from starvation. Then we have had two or three periods in which the whole country was ravaged by tifo and other scourges. Then the flu during the last two years has killed off not less than 300,000. Reports coming from all parts of the country in 1918 showed a frightful death rate, and it extended all over the country.

I have asked the opinion of some of the most intelligent Mexicans that I know of, having 15,000,000 inhabitants at the beginning of the revolution, what is the number there now, and most of them have replied less than 10,000,000, and I believe that if one would investigate the matter carefully from every angle that he will conclude that fully 5,000,000 have disappeared from the country. At Cuernavaca I was told by an American friend who had lived there about 25 years, working mines, about three years ago that he counted over 900 new made graves in the graveyard, none of whom were killed in battle. The same comes from all directions.

While I was in Mexico in March I saw it published, as coming from one of the bureaus of public health, that 77 per cent of the people were infected with venereal diseases. This notice advised them to send some of their blood to the department that they might be instructed how to treat it. I have since talked with several doctors, and they have placed the percentage much higher, ranging from 85 per cent to 99 per cent. If these statements are approximately correct, it means that the physical fiber of those people must be far from sound, and therefore incapable of reproducing offspring other than physically weak and morally base. It is easy for a close observer to see in the very looks of a large number of Mexican women the photograph of the hell through which they have passed engraved upon their countenances. And what ideals the man who was instrumental in bringing about such a social state possesses is beyond the ken of mortal mind to understand.

The political situation in Mexico is neither promising nor hopeful, although it is easily understood so far as the aspirants for the Presidency is concerned. Carranza evidently has two strings to his bow, one is to make Bonillas his heir and successor with him perhaps the lawgiver and his chief director, the other is to, if trouble comes have his Congress declare the election null and void and appoint him as Pre-

dent till a new election can be held, but with the country in a state of revolution that must be deferred.

Obregon seems to be willing to spend a fortune he accumulated by grafting while a general to become President, and we find him preaching and advocating any policy that may advance his cause. He is telling the miners that the mines by right belong to them, and that if he is elected they will have them. He tells the would-be land-owners that if he is elected they shall be given the land without price or effort—a very similar tune sung by Madero when he was seeking the Presidency, and it was this tune that so infatuated Madero with the populace, and, perhaps, Obregon remembers the lesson and hopes to gain by repeating it.

What is called "the gente decente" in Mexico—the element that possess a large part of the wealth and a larger part of the intelligence of the nation, although greatly inferior in numbers—are all opposed to either of the three candidates now aspiring to be president. They are convinced and insist that the Mexicans themselves can not restore order and peace to the distracted country. They declare that it lies in the hands of either Mr. Wilson or his successor, and that whenever it is undertaken with the right spirit and with that resolution that produces results it can be easily settled without any war. They laugh at the idea of war, and ask with whom and with what can the Mexican forces fight, and how can they fight without guns, ammunition, clothes, food, transport, and even without men of ordinary discipline and training. They say that a large part of the Mexican people will stand at the gates and welcome our soldiers if they will only come, and that if necessary they will assist them in every way they can and make their self-imposed and unpleasant task as light as possible.

What a self-complacency or what visions those good souls must possess who find a happy, contented people in Mexico, or who see plenty and abundance everywhere. While on my trip I endeavored to learn as much as I could about the stock interests of the country, and it is certainly no exaggeration to place the loss at 85 per cent, taking the country as a whole. It will require several years under the most favorable conditions to get that country stocked up again. Cattle are very scarce outside of a few sections in the hot country. Where we formerly saw great herds we now see only a small town herd as we approach some village or city. I was informed that in Mexico the present supply of meat is coming from the hot country, largely from Colima and Guerrero. I was informed at Torreon that the supply of meat for that place was coming from wild cattle hunted out of the mountains of Chihuahua.

At no time since the revolution began in 1910 has the fear that a new revolution is incubating been more persistent than right now. It seems to be epizootic and has gripped all classes and all factions, and many consider the tremendous exodus of laborers now leaving the country as one of the strongest symptoms of the manifestation of this common fear. The consensus of opinion is that it is fear of being drafted into the army that is actuating these emigrants. This feeling of anxiety is no less pronounced in one faction than the others, as it hangs like a pall over them all.

So far as the fight between Carranza's man Friday (Bonillas) is concerned, Bonillas has already won, as Carranza is rapidly removing Obregonistas from the army or civil employment with the Government. He is taking precaution to insure the selection of a Congress that he can control, in order that Congress, which has the power to declare the results of an election can, if desired, declare him as his own successor. Now, there may be a slip in this arrangement, but it will hardly happen till after the result of the election has been declared. This will, as Villa told ———, furnish Carranza's opponents with a new issue. This will bring on the tug of war with the ultimate result dependent upon the unanimity with which his opponents act and their disposition to play fair with the "gente decente."

There is one thing certain, that is if a fight does come, as now seems almost assured, whichever side wins, the war as an organized body must inevitably be short-lived, since the lack of resources will impose this natural restriction on its duration. If it does not terminate soon it will again become stalemate, and the present reign of chaos and anarchy will continue indefinitely unless stopped by outside pressure. It seems that it is very important to our own country that the present anarchical state be ended in Mexico, as it is producing a gangrene which is infecting this country by contact and example.

While there is much poverty in Mexico, no one is starving for the mere necessities of life. Last year's crops were exceptionally good, and although the wheat is about all used up, the present harvest is about ready to gather, and from my observations along the railroads, there is a large acreage planted in those districts where the people are permitted to live, but the crop was badly damaged by a freeze that occurred the last days of March, and it is probable that little, if any, more than a 50 per cent crop will be raised. Last year's corn and bean crops were exceptionally good, and I am informed there is a large surplus, which assures plenty of those primary food products

for next year. Of course, it is too early to make any estimate of this year's corn and bean crops, as they have not yet been planted. It is very dry in a large section of the country, but that is not unusual there at this season of the year.

In any discussion of the Mexican situation it is very important that we impress upon our hearers the truth about the personnel of the present Mexican Government. Those who know their past antecedents readily understand that a large part of them are unqualified for the positions they occupy, lacking as they do the necessary training or experience, and another large part of them is disqualified by a moral taint that renders them unfit for any position of trust. It is well known that many of these were criminals liberated by the exigencies of war, and this of itself creates a distrust of any government that is influenced by them.

Mr. ———, whom you met here, informs me over the phone that many deserting officials from Carranza's army have reached here at Obregon's expense and are anxious to get on to Sonora. These men are patriotic because their pay has stopped and they have been shorn of the power to prey upon the country and are willing to unite with any faction that will furnish them their daily bread.

Instead of a proof of the formidableness of the Sonora revolt, I am inclined to believe it shows a weakness. It will result in an army of men "too proud to fight" instead of a fighting machine.

About 25 years ago there was at El Paso a mirth-making club called McGinty, and I remember amongst its different features was the McGinty Guards. At the roll call of officers 8 or 10 huskies appeared upon the stage, but at the roll call of privates one lone, one-legged man stood forth and went through all the evolutions.

I have met many persons conversant with the Mexican situation and familiar with Mr. Wilson's genius for muddling everything he touches who think that it might be unwise to urge any interference in Mexico by him. They imagine it would be better to await the coming of a practical, common-sense man who accepts things as he finds them and acts accordingly than to invoke action by one who sees visions and hears voices—products of his own selfish arrogance.

I hope that you may receive some ideas from this long letter that may be of benefit to you. I have tried to set forth things as I found them at this time without bias in favor of any faction. In writing this letter I have endeavored to set forth the Mexican situation in a way that even those unfamiliar with it may be induced to look at it from a practical standpoint, which seeks to do justice toward all, with malice toward none.

With kindest wishes for your continued health and prosperity, I remain,
Very truly, yours,

A.

SUMMARY.

List of Americans killed and wounded in Mexico and on border in United States, 1910 to May 20, 1920, as testified to before the Subcommittee of the Foreign Relations Committee, investigating Mexican Affairs.

1. Civilians killed in Mexico.....	397
2. United States soldiers killed in Mexico.....	64
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	461
	<hr/>
3. American civilians killed along border in United States.....	58
4. United States soldiers killed along border in United States.....	68
	<hr/>
	126
	<hr/>
5. American civilians outraged or wounded in Mexico.....	32
6. United States soldiers outraged or wounded in Mexico.....	29
	<hr/>
	61
	<hr/>
7. American civilians wounded on border in United States.....	90
8. United States soldiers wounded on border in United States.....	47
	<hr/>
	137
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Total killed, wounded, and outraged.....	785

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B.

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2	Anderson, baby.	7	817-862
3	Adams, William.	7	817-862
4	Ayers, Bowan.	7	817-862
5	Alamia, Juan B.	7	817-862
6	Allen, Oscar.	7	817-862
7	Akard, Hugh.	7	817-862
8	Atwater, Hubert.	7	817-862
9	Akers, James Bert.	7	817-862
10	Anton, George.	7	817-862
11	Anderson, Maurice.	7	817-862
12	Austin, Earl G.	7	817-862
13	Austin, S.	7	817-862
14	Bartholdt, _____.	7	817-862
15	Bi-hop, _____.	7	817-862
16	Brooks, John F.	7	817-862
17	Buckerdike, _____.	7	817-862
18	Bishop, Mrs. W. I.	7	817-862
19	Bowles, Earl.	12	24-862
20	Breckenridge, _____.	7	817-862
21	Baird, _____.	7	817-862
22	Byrd, William, Jr.	7	817-862
23	Bushnell, L.	7	817-862
24	Burton, Henry Knox.	7	817-862
25	Barrett, Thomas.	7	817-862
26	Bausehe, Gustave.	7	817-862
27	Brown, William.	7	817-862
28	Baker, E. P.	7	817-862
29	Bishop, William.	7	817-862
30	Baughman, Lee.	7	817-862
31	Batania, Juan.	7	817-862
32	Bullings, Roscoe.	7	817-862
33	Brown, Cassie N.	7	817-862
34	Burwell, Weston.	7	817-862
35	Beard, James S.	7	817-862
36	Bennett, L. N.	7	817-862
37	Boone, Charles.	7	817-862
38	Bean, Edgar B.	7	817-862
39	Burk, Frank.	7	817-862
40	Bruce, Donald.	7	817-862
41	Bailes, Curtis.	7	817-862
42	Bartning, Henry.	7	817-862
43	Brooks, Samuel.	7	817-862
44	Blood, William W.	7	817-862
45	Compton, Harry.	7	817-862
46	Cox, John P.	7	817-862
47	Chapel, F. C.	7	817-862
48	Camara, Eugene.	7	817-862
49	Cervantes, J.	7	817-862
50	Crawford, James.	7	817-862
51	Camp, Robert.	7	817-862
52	Cramer, John.	7	817-862
53	Couch, Avery H.	7	817-862
54	Corbet, William.	7	817-862
55	Compton (Chihuahua).	7	817-862
56	Collins, Hiram.	7	818-862

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59	Catron, Peter.	7	847-852
60	Chritchfield, George.	7	847-852
61	Cummings, _____	7	847-852
62	Clarks, Dr. R. G.	7	847-852
63	Carroll, John G.	7	847-852
64	Cronley, Henry	7	847-852
65	Cooper, Clarence	7	847-852
66	Carruth, Mrs. Leo	7	847-852
67	Carruth, child.	7	847-852
68	Do	7	847-852
69	Do	7	847-852
70	Do	7	847-852
71	Do	7	847-852
72	Crawford, _____	7	847-852
73	Cain, _____	10	158
74	Carney, James.	10	157
75	Delham, Oscar M.	7	847-852
76	Dexter, Edward G.	7	847-852
77	Dingwell, Wm. B. A.	7	847-852
78	Balrymple, Charles.	7	847-852
79	Doster, Edward D.	7	847-852
80	Donovan, J. J.	7	847-852
81	Diepert, George A.	7	847-852
82	Dubose, Constantine.	7	847-852
83	Davidson, Roderick.	7	847-852
84	Dixon, A. R.	7	847-852
85	D'Austin, Louis.	7	847-852
86	Davies, Albert J.	7	847-852
87	Davidson, W. A.	7	847-852
88	Davis, Harry G.	7	847-852
89	Dean, J. S.	7	847-852
90	Dollar, M. P.	7	847-852
91	Dunn, L. A.	7	847-852
92	Defourez, Edward L.	7	847-852
93	DeVate, William.	7	847-852
94	DeFazio, G. A.	7	847-852
95	Darrow, Beris.	7	847-852
96	DeFaber, C. G.	7	847-852
97	Edward, J. C.	7	847-852
98	East, Victor W.	7	847-852
99	Edson, John.	7	847-852
100	Ed-son, Mrs. John.	7	847-852
101	Eck, Carl.	7	847-852
102	Ely, Isaac R.	7	847-852
103	Evens, Thomas H.	7	847-852
104	Elton, Howard L.	7	847-852
105	Epprohi, Alfred E.	7	847-852
106	Eckles, _____	7	847-852
107	Fowler, William E.	7	847-852
108	Franev, Wenceslau.	7	847-852
109	Fountain, Thomas A. O.	7	847-852
110	Freudenheim, James.	7	847-852
111	Farrall, Thomas.	7	847-852
112	Fay, W. A.	7	847-852
113	Fisher, Clarence	7	847-852

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115	Fisher, Dr. Chas. P.....	7	848-862
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117	Franklin, John M.....	7	848-862
118	Green,	7	848-862
119	Godman, R. Roy M.....	7	848-862
120	Garcia, Antonio.....	7	848-862
121	Glennon, Patrick.....	7	848-862
122	Gillette, Chas. W.....	7	848-862
123	Griffith, Mrs. Joseph P.....	7	848-862
124	Gorow, Boris.....	7	848-862
125	Griffin, Benjamin.....	7	848-862
126	Gilmartin, Martin J.....	7	848-862
127	Gri'alva, Reyes.....	7	848-862
128	Goldsbrough, Chas.....	7	848-862
129	Galeana, Francisco.....	7	848-862
130	Gorman, Frank P.....	7	848-862
131	Goodman (child).....	7	848-862
132	Do.....	7	848-862
133	Do.....	7	848-862
134	Gillett, Frank.....	7	848-862
135	Gonzales,	8	1320
136	Gourd, Frank.....	8	993
137	Hughes,	7	848-862
138	Huntington, Robert.....	7	848-862
139	Heidy, Samuel.....	7	848-862
140	Harvey, James.....	7	848-862
141	Hertling, John.....	7	848-862
142	Haigler,	7	848-862
143	Holmes, Mrs. Minnie L.....	7	848-862
144	Howard, Frank.....	7	848-862
145	Hayes, Edward, jr.....	7	848-862
146	Harwood, Robert W.....	7	848-862
147	Hatfield, K. L.....	7	848-862
148	Harmon, E. L.....	7	848-862
149	Hadley, C. B.....	7	848-862
150	Hernandez, Gustavo.....	7	848-862
151	Higgenberger, Peter.....	7	848-862
152	Howard, Jack.....	7	848-862
153	Harner, A. N.....	7	848-862
154	Hartman, G. L.....	7	848-862
155	Hall, Alexander.....	7	848-862
156	Hase, Herman C.....	7	848-862
157	Hamilton, Victor.....	7	848-862
158	Hayden, Frank.....	7	848-862
159	Harris, Edward H.....	7	848-862
160	Howell, Ernest.....	7	848-862
161	Hally, P. H.....	5	848-862
162	Hart, Dr. H. M.....	7	848-862
163	Honse, Edward.....	7	848-862
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165	Hughes, Hiram.....	7	848-862
166	Hennessey, A. P.....	7	848-862
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172	Jackoby, James	7	247 412
173	Johnson, Thomas	7	247 412
174	James, Mrs. Milton	7	247 412
175	James, Byron E.	7	247 412
176	Johnson, Guy	7	247 412
177	Krause, Emil	7	247 412
178	Kane, Thomas C.	7	247 412
179	Kelly, Patrick J.	7	247 412
180	Kendall, William	7	247 412
181	Kelly, Thomas	7	247 412
182	Kelly, Dr. E. E.	7	247 412
183	King, ———	7	247 412
184	Kitchen, H. S.	7	247 412
185	Kingsbury, Tom	7	247 412
186	Keenrich, Mrs. W. H.	7	247 412
187	Kirby, H. E.	7	247 412
188	Keane, Peter	7	247 412
189	Keene, ———	12	247 412
190	Lockhart, John R.	7	247 412
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193	Lawrence, James O.	7	247 412
194	Lawrence, Albert H.	7	247 412
195	Laurell, Portirio	7	247 412
196	Landon, James E.	7	247 412
197	Loris, Leonard	7	247 412
198	Leiza, Alfonso	7	247 412
199	Lindley, Lee	7	247 412
200	McLaughlin, ———	7	247 412
201	Maxwell, ———	7	247 412
202	McDonald, W. H.	7	247 412
203	McClelland, Jas. B.	7	247 412
204	McKinsea, ———	7	247 412
205	Mathewson, A.	7	247 412
206	Martinson, Mrs.	7	247 412
207	Meyers, Jake	7	247 412
208	McCoy, J. P.	7	247 412
209	Meredith, Norwell R.	7	247 412
210	Miller, Morton	7	247 412
211	McCutcheon, Edward	7	247 412
212	Marders, C. H.	7	247 412
213	Moreys, J. L.	7	247 412
214	Milton, Chas	7	247 412
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217	McIntosh, Walter	7	247 412
218	McMannus, John B.	7	247 412
219	McHatton, Richard P.	7	247 412
220	McKinney, Arthur	7	247 412
221	Martin, G. W.	7	247 412
222	McGregor, Don	7	247 412
223	Martinez, Miguel	7	247 412
224	Millard, L. R.	7	247 412
225	McLeod, Harlow C.	7	247 412
226	Morgan, Edward E.	7	247 412
227	McClaren, Edward F.	7	247 412
228	Moye, Leroy	7	247 412
229	McGill, H. S.	7	247 412
230	Meek, Ulysses	7	247 412

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235	McCutchan, _____	8	963
236	Morgan, _____	8	1057
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240	O'Neil, James.....	7	848-862
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242	Passon, _____	7	848-862
243	Pape, Elbert.....	7	848-862
244	Poindexter, William.....	7	848-862
245	Peterson, Peter.....	7	848-862
246	Peterson, A. P.....	7	848-862
247	Pottinger, C. C.....	7	848-862
248	Parmenter, John Glenn.....	7	848-862
249	Poe, Henderson G.....	7	848-862
250	Pearce, W. D.....	7	848-862
251	Pringle, Chas. A.....	7	848-862
252	Parsons, George F.....	7	848-862
253	Parks, James.....	7	848-862
254	Pilgrim, J. D.....	7	848-862
255	Pearson, George F.....	7	848-862
256	Pellham, Oscar.....	7	848-862
257	Price, Scott.....	7	848-862
258	Porter, Tom.....	8	1011
259	Penix, Bon.....	8	991
260	Reid, James M.....	7	848-862
261	Royer, _____	7	848-862
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265	Ross, Mrs. Charlie E.....	7	848-862
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267	Robertson, William C.....	7	848-862
268	Roth, _____	7	848-862
269	Reed, William M., jr.....	7	848-862
270	Robinson, Ernest L.....	7	848-862
271	Romero, M. B.....	7	848-862
272	Robertson, William C.....	7	848-862
273	Robertson, Robert W.....	7	848-862
274	Rasmussen, Lee.....	7	848-862
275	Rose, W. H.....	7	848-862
276	Rushworth, Richard.....	7	848-862
277	Reddock, Gaston.....	7	848-862
278	Rodriguez, Toribio.....	7	848-862
279	Rooney, F. P.....	12	24
280	Rodd, George.....	10	1489
281	Shope, William H.....	7	848-862
282	Swazay, _____	7	848-862
283	Stepp, H. W.....	7	848-862
284	Schubert, Gindo.....	7	848-862
285	Shephard, John W.....	7	848-862
286	Strauss, H. L.....	7	848-862
287	Stevens, Joshua.....	7	848-862
288	Slate, Henry.....	7	848-862

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290	Scott, Peter.	7	84-82
291	Simmons, R. H.	7	84-82
292	Simmons, Albert F.	7	84-82
293	Stovall, A. J.	7	84-82
294	Snyder, Tom.	7	84-82
295	Sharp, Lee.	7	84-82
296	Sellers, Clarence.	7	84-82
297	Stovall, Ralph H.	7	84-82
298	Stevenson, Albert A.	7	84-82
299	Skinner, George.	7	84-82
300	Schaefer, Adam.	7	84-82
301	Spillsbury, Ernest.	7	84-82
302	Soto, Pablo.	7	84-82
303	Seggerson, Charles.	7	84-82
304	Sanchez, Encarnacion.	7	84-82
305	Stowe, B.	7	84-82
306	Smith, Frank.	7	84-82
307	Schofield, Henry.	7	84-82
308	Sawyer, Guy S.	7	84-82
309	Smith, Joseph.	7	84-82
310	Smith, —	7	84-82
311	Squires, C. A. L.	7	84-82
312	Spencer, William.	7	84-82
313	San Blas, Joseph T.	7	84-82
314	Smith, J. P.	7	84-82
315	Sanders, George.	7	84-82
316	Smith, V. M.	7	84-82
317	Smith, J.	7	84-82
318	Smith, John.	7	84-82
319	Stacker, William.	7	84-82
320	Snell, Benjamin.	7	84-82
321	Snell, Dr. A. T.	7	84-82
322	Stevens, William J.	7	84-82
323	Smith, Baron.	7	84-82
324	Smith, —	8	1-36
325	Thomas, A. E.	7	84-82
326	Thompson, —	7	84-82
327	Thomas, John Henry.	7	84-82
328	Teahti, Gilbert.	7	84-82
329	Taylor, James E.	7	84-82
330	Taves, Joseph.	7	84-82
331	Taylor, S. E.	7	84-82
332	Thomas, Robert.	7	84-82
333	Urban, Richard.	7	84-82
334	Unknown woman.	7	84-82
335	Unknown.	7	84-82
336	Do.	7	84-82
337	Do.	7	84-82
338	Do.	7	84-82
339	Do.	7	84-82
340	Do.	7	84-82
341	Do.	7	84-82
342	Do.	7	84-82
343	Do.	7	84-82
344	Do.	7	84-82
345	Do.	7	84-82
346	Do.	7	84-82
347	Do.	7	84-82
348	Do.	7	84-82
349	Do.	7	84-82
350	Do.	7	84-82

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352	Do.....	7	848-862
353	Do.....	7	848-862
354	Unknown woman.....	13	1998
355	Unknown teamster.....	9	1469
356	Unknown civilian.....	15	22
357	Do.....	15	22
358	Do.....	2	380
359	Unknown cowboy.....	L	34
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361	Vergara, Clemente.....	7	848-862
362	Volner, —.....	7	848-862
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364	Valencia, Jose.....	7	848-862
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366	Waite, W. H.....	7	848-862
367	Ward, Frank.....	7	848-862
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369	Webster, John E.....	7	848-862
370	Williams, Lee.....	7	848-862
371	Williams, John.....	7	848-862
372	Warner, Mel.....	7	848-862
373	Wood, —.....	7	848-862
374	White, —.....	7	848-862
375	Willis, Antonio James.....	7	848-862
376	Wilson, John P.....	7	848-862
377	Wells, Edward F.....	7	848-862
378	Windham, Charles S.....	7	848-862
379	Warren, James L.....	7	848-862
380	Wadleigh, Charles.....	7	848-862
381	Wallace, W. J.....	7	848-862
382	Watson, Charles R.....	7	848-862
383	Woon, J. W.....	7	848-862
384	Wallace, Walter.....	7	848-862
385	Weeks, James Juan.....	7	848-862
386	Williams, Mrs. Arthur.....	7	848-862
387	Williams, —.....	7	848-862
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389	Wright, E. J.....	7	848-862
390	Winn, C. A.....	7	848-862
391	Walker, Walter J.....	7	848-862
392	Weider, Linden L.....	7	848-862
393	Whiteford, Gustave A.....	7	848-862
394	Weller, Benjamin B.....	7	848-862
395	Wallace, Oscar.....	7	848-862
396	White, H. S.....	7	848-862
397	Woolf, U. G.....	7	848-862

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3	Bosswell, I. F.	2	24
4	Boyd, Capt. C. T.	2	24
5	Butler, Tom.	2	24
6	Bouche, O.	2	24
7	Blount, J. D.	2	24
8	Corrie, William W.	2	24
9	Chaille, Lieut. J. B.	2	24
10	Connelly, Lieut. C. H.	2	24
11	D'Lowry, Francis.	2	24
12	Devorick, Frank.	2	24
13	Day, James E.	2	24
14	Fabbio, G. A.	2	24
15	Fisher, Elzie C.	2	24
16	Fried, Louis Oscar.	2	24
17	Frohlichstein, E. H.	2	24
18	Furman, H.	2	24
19	Gleaton, W. C.	2	24
20	Gingan, —	2	24
21	Herschberger, C. R.	2	24
22	Haggerty, D. A. (marine).	2	24
23	Himes, Will.	2	24
24	Kleson, John C. (marine).	2	24
25	Lane, Denis.	2	24
26	Lesford, R.	2	24
27	Laughter, I. M.	2	24
28	Martin, Samuel (marine).	2	24
29	Meisenberg, S.	2	24
30	McGhee, Ben.	2	24
31	Marksberry, D.	2	24
32	Moses, T. C.	2	24
33	Mathiows, C.	2	24
34	McGregor, —	2	24
35	Poinsett, George.	2	24
36	Pullman, Henry.	2	24
37	Parks, Samuel.	2	24
38	Percy, R. E.	2	24
39	Robinson, W. A.	2	24
40	Richly, Jay.	2	24
41	Roberts, W. F.	2	24
42	Rucker, DeWitt.	2	24
43	Ray, R. A.	2	24
44	Riggs, A. A.	2	24
45	Schumacher, John F.	2	24
46	Smith, Charles Allen.	2	24
47	Stream, Allen E.	2	24
48	Summerlin, R.	2	24
49	Unknown.	2	24
50	Do	2	24
51	Do	2	24
52	Do	2	24
53	Do	2	24
54	Do	2	24
55	Do	2	24
56	Talbot, Lee.	2	24
57	Troib, David.	2	24
58	Watson, Walter L.	2	24
59	Ware, William.	2	24
60	Winrow, William.	2	24
61	Watson, A. J.	2	24
62	Wisewall, —	2	24
63	Waterhouse, Lieut. F. B.	2	24
64	Zeigler, Lon.	2	24

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4	Boley, Bernard.	7	848-862
5	Benavides, Jose Maria.	7	848-862
6	Chandler.	7	848-862
7	Camp, John.	7	848-862
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9	Charlott, Robert.	7	848-862
10	Castillo, Claro.	7	848-862
11	Cunningham, R. A.	7	848-862
12	Chelders, Clarence.	7	848-862
13	Doyle, Byron.	7	848-862
14	Donaldson, E. R.	7	848-862
15	Griffith.	7	848-862
16	Garcia, Maximiano.	8	1320
17	Hulen, Eugene.	7	848-862
18	Howard, John S.	7	848-862
19	Hill, Ira W.	7	848-862
20	Hopkins, Chas. L.	7	848-862
21	Hinton, Floyd.	7	848-862
22	Kendall, H. H.	7	848-862
23	McCain, Dr. E. S.	7	848-862
24	Madrid, John.	7	848-862
25	Miller, C. C.	7	848-862
26	Moore, A. J.	7	848-862
27	Miller, Charles DeWitt.	7	848-862
28	Nevill, Glen.	7	848-862
29	Neivergalt, J. G.	7	848-862
30	Parker, William.	7	848-862
31	Parker, Mrs. Wm.	7	848-862
32	Perkins, Jim.	7	848-862
33	Parmulee, F. M.	7	848-862
34	Riche, A. C.	7	848-862
35	Randall, W. L.	7	848-862
36	Sitters, Joseph.	7	848-862
37	Smith, J. S.	7	848-862
38	Scott, Price.	7	848-862
39	Soto, Pablo.	7	848-862
40	Sandoval, Jesus.	7	848-862
41	Schriener.	12	1,065
42	Shaw, Jos. R., War Department.		
43	Tate, Fred.	7	848-862
44	Timberlake.	7	848-862
45	Tusco, Sam.	7	848-862
46	Unknown civilian.	7	848-862
47	Do.	7	848-862
48	Unknown civilian (Naco).	L	18
49	Do.	L	18
50	Do.	L	18
51	Do.	L	18
52	Do.	L	18
53	Do.	L	18
54	Do.	L	18
55	Do.	L	18
56	Do.	L	18
57	Wood, Robert.	7	848-862
58	Welsh, Michael.	7	848-862

K.

United States soldiers killed along border in United States.

No.	Name.	Book.	Page.
1	Atchison, T. F.	7	512-513
2	Cohen, William	7	517-518
3	Calce, J. S.	7	517-518
4	Cunningham, Anthony, War Department		
5	Dobbs, M. A.	7	517-518
6	Forney, H. T.	7	517-518
7	Ferguson, R. H.	7	517-518
8	Flowers, C.	7	517-518
9	Griffin, F. A.	7	517-518
10	Hobbs, M. A.	7	517-518
11	Hungerford, J. D.	7	517-518
12	Johnson, R. J.	7	517-518
13	Joyce, Martin	7	517-518
14	Jones, H. J.	7	517-518
15	Kraft, Anthony	7	517-518
16	Kalonah, E. C.	7	517-518
17	Kindwall, F. A.	7	517-518
18	Little, S.	7	517-518
19	Loftis, Luke W.	7	517-518
20	Lotts, Bernard	7	517-518
21	McBee, A. T.	7	517-518
22	McConnell, H.	7	517-518
23	Moore, H. C.	7	517-518
24	McGuire, _____	7	517-518
25	Minaden, James	7	517-518
26	Oberlies, Wm.	7	517-518
27	Rogers, H.	7	517-518
28	Stubblefield, H. W.	7	517-518
29	Schaefer, E.	7	517-518
30	Simon, Paul	7	517-518
31	Taylor, J. P.	7	517-518
32	Twomey, J. J.	7	517-518
33	Tusco, Sam	7	517-518
34	Ulrich, Sergeant, War Department		
62	Unknown, total 28	7	517-518
63	Wilson, H.	7	517-518
64	Watson, R. B.	7	517-518
65	White, Worth	7	517-518
66	Warwick, William	7	517-518
67	Winthaus, L. C.	7	517-518
68	Williams, John	7	517-518

L.

Outrages—American civilians wounded in Mexico.

No.	Name.	Book.	Page.
1	Brown, Mrs. O. P.	9	632
2	Bishop, R. A.	2	450
3	Bell, William.	2	450
4	Carroll, Mrs. J. W.	2	649
5	Clayson, Ed.	7	1701
6	Cobler, J. W.	7	1711
7	Dixon, Charles B. (immigration inspector in Juarez).....	7	1716
8	Dunn, H. H.	F	732
9	Eads, John.	8	1041
10	Gourd, Miss.		149
11	Harris, Allen G.		1663
12	Harris, H. O.		670
13	Jones, Albert.	10	670
14	Jones, Mrs. Albert.	10	1140
15	Kirkland, Frank.		1713
16	Kenpehy, J. D.		1109
17	Kerr, J. (War Department).	8	648
18	Metzenthin, Miss.	10	1041
19	Mortenson, —.	8	
20	Negro woman.	8	
21	Whitehead, Bert (War Department).		
HELD FOR RANSOM.			
22	Fink, W. N.	19	689
23	Jenkins (consular agent), Puebla.		
24	Knotts, Frank, Chihuahua.		
25	Ledwidge, A.	10	690
26	McCormick, John (twice).	10	689
27	Malone, Pat.	8	1,138
28	Solis, A.	10	690
29	Spencer, Bunk.	10	689
30	Stevenson, H. S.	10	690
31	Sutton, R. B.	3	15
32	Smith, D. B.		

Old book.

M.

Outrages—United States soldiers wounded in Mexico.

No.	Name.	Book.	Page.
1	Armstrong, Louis E.....	10	1559
2	Baird, Neil.....	8	1159
3	Bolinger, D. B.....	8	1071
4	Caron, Henry C.....	L	27
5	Clint, William H.....	L	29
6	Clayton, C. S.....	L	31
7	Ceascecke, Stanly.....	1	30
8	Cooley, E. E.....	1	37
9	Coyne, Pat.....	2	350
10	Chegas, Peter.....	10	1570
11	Deppy, Paul.....	1	29
12	Durley, Lyle.....	L	34
13	Fronterek, Stanley.....	L	29
14	Frahm, "Imuth".....	L	30
15	Flore, Alfonso.....	10	1570
16	Green, Arthur O.....	1	31
17	Gibson, Vann.....	L	31
18	Hendricks, Emil F.....	L	30
19	Johnson, Charles F.....	L	32
20	Keist, C. L. (War Department).....		
21	Kelley, J. F. (War Department).....		
22	Linberg, Arthur A.....	10	1570
23	Morozney, Lawrence.....	L	29
24	Morgan, Charles.....	L	35
25	Minton, J. G.....	D	560
26	Minette (wounded twice).....	2	530
27	Marks, Capt.....	10	1570
28	McDonald, W. M.....	N	5
29	Noriel, William (War Department).....		

N.

American civilians wounded on border in United States.

No.	Name.	Book.	Page.
1	Dunnaway, Jim (War Department).....		
2	Frost, Archibald.....	10	1604
3	Forbes, Henry.....	8	1243
4	Garrett, William C.....	13	1962
5	Gleaves, Jefferson (War Department).....		
6	Huff, Sonv.....	8	1243
7	Jenson, Cias.....	8	1243
8	Longorio, Joe.....	8	1243
9	Longorio, Damasio (War Department).....		
10	Monahan, Mike.....	8	1243
11	Martin, Frank.....	8	1243
12	Metherill, Mrs. Lucille.....	11	1687
13	Moore, Mrs. J. J.....	7	1957
14	Parker, Mrs. Emma.....	10	1570
15	Reynolds, R. H.....	L	6
16	Riche, Mrs. Laura.....	10	1604
17	Unknown woman.....	13	1988
18	Unknown woman (Naco).....	7	18
19	Wallace, Harry.....	8	1243
20	Woodal, R.....	8	1243
90	Unknown (Naco), total 70.....	L	18

Old book.

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O.

United States soldiers wounded on border in United States.

No.	Name.	Book.	Page.
1	Arana, Victor D.	L	32
2	Anderson, Capt.	8	1243
3	Butler, Fred J.	L	28
4	Bilek, Joe.	L	29
5	Buckles, Roscoe	10	1570
6	Brasher, C. J.	8	1243
7	Behr, Fred.	8	1243
8	Coleman, Wm. P.	10	1570
9	Casey, Burchard	10	1570
10	Coomer, Wm. M.	10	1570
11	Candela, Louis	8	1243
12	Donville, Raymond J.	L	30
13	Friedman, Alfred.	10	1570
14	Herman, Fred J.	L	27
15	Harris, James E.	L	31
16	Henry, Lieut.	8	1243
17	Hallenbeck, Ben.	8	1243
18	Havela, Tony	8	1243
19	Harris, Allen G.		149
20	Harris, H. O.		163
21	Jackson, —	8	1243
22	Kennedy, Pvt.	8	1243
23	Laymond, C. H.	8	1243
24	Lanzlind, Paul.	8	1243
25	Love, Calvin	10	1570
26	Lytte, Archibald	L	30
27	Lynn, Fred.	10	1570
28	Minette, P. W.	8	1243
29	Malasoff, Henry	8	1243
30	Moore, Ernest W.	L	28
31	McDonald, Alf. J. (War Department)		
32	McNabb, David, Capt. (War Department)		
33	McGoigan, Pvt. (War Department)		
34	Oberlies, William	8	1243
35	Price, Victor	L	30
36	Reynolds, Wallace	L	31
37	Rouch, J. E.	8	1243
38	Riley, Ed. C.	10	1570
39	Smith, Earl C.	10	1570
40	Scheve, Edward	L	28
41	Sweroznski, James	L	29
42	Sanchez, Viviano	L	31
43	Smith, H. R.	8	1243
44	Stewart, L. T.	8	1243
45	Swing, T. H.	8	1243
46	Walls, David	L	32
47	Wilson, Capt.	L	32

¹ Old book.

MEMORANDUM.

FOREIGNERS OTHER THAN AMERICANS KILLED IN MEXICO.

With the exception of the Torreon massacre of 303 Chinese citizens, the evidence before this committee shows 46 Americans were killed to 1 of other nationalities.

PARTIAL PROPERTY LOSS IN MEXICO. AS TESTIFIED TO BEFORE COMMITTEE.

+ Name.	Reference.		Amount.	Number, estimated, families.
	Book.	Page.		
Associated Tropical Land Co.....	9	1374	\$1,000,000	.....
Almoloya Mining Co.....	9	1429	450,000	.....
Americans—robbed cash, Monterrey.....	8	1003	84,000	.....
Alvin, A. D.....	8	1090	25,000	.....
Bailey, Lola C.....	8	1028	15,000	.....
Bedwell, J. W.....	8	1076	20,000	.....
Blocker, Jno. R.....	8	1177	100,000	.....
Blankinship, A. R.....	D	484	250,000	.....
Byrd, W. S.....	E	794	100,000	.....
Brewer, Arthur.....	5	527	250,000	.....
Birchfield, S.....	9	525	12,500	.....
Bowman & Larson.....	17	2596	70,000	.....
Bowman, H. E.....	17	2599	25,000	.....
Booker & Co.....	17	2603	207,000	.....
Cañon, Hiram.....	11	16	100,000	.....
Carroll, Mrs. J. W.....	2	419	10,000	.....
Cameron, Dr.....	13	1970	50,000	.....
Church, E. G.....	8	1071	.....	.....
Colonies:				
Atascador.....	8	1036	3,000,000	300
Camacho.....	10	1496	900,000	90
Columbus.....	11	1709	1,000,000	100
Chumal.....	8	970	320,000	92
Colonia.....	8	1,166	150,000	150
Chuculupa.....	10	1,181	1,500,000	150
Duñdan.....	10	1,181	3,000,000	300
Diaz.....	10	1,181	3,000,000	300
Garcia.....	10	1,181	1,500,000	150
Juarez.....	10	1,181	3,000,000	300
Medina.....	15	2,170	150,000	15
Morelos.....			3,000,000	300
Munuel.....			100,000	10
Pacheco.....	10	1,181	1,500,000	150
San Dieguito.....	N	2	1,500,000	150
Santa Lucrecia.....	8	1,052	1,000,000	100
San Pedro.....	13	1,977	3,000,000	300
Sinaloa-Sonora.....	8	1,160	2,000,000	200
Rio Verde.....			200,000	20
Valles.....			500,000	50
Victoria.....			200,000	20
Dunn, E. S.....	N	2	20,000	.....
Duff, D. E.....	N	2	12,000	.....
Dolley, Dr. Chas. S.....			680,000	.....
Enders, C. W.....	E	687	224,500	.....
Ellis, James E.....	8	1,083	7,000	.....
Erwin, Thos.....			342,518	.....
Garrett, W. C.....	13	1,962	60,000	.....
Gurley, W. W.....	8	1,086	50,000	.....
Gunter, L.....			8,640	.....
Glaze, Jno. W.....			3,531	.....
Hornbeack, T. R.....		84	41,000	.....
Heckle, Ernest.....	8	1,162	1,000	.....
Hess, Louis.....	I	134	50,000	.....
Jackson, Cora H.....	N	9	10,000	.....
Kolklovch, I. J.....			89,800	.....
Luckett, R. H.....	I	138	30,000	.....
Loughborough, S. F.....	I	179	15,000	.....
Lyon, W. A.....			2,128	.....
Moorehead, Don D.....	N	2	10,000	.....
Mexico Land Co.....	10	1,502	400,000	.....
Manley, Paul.....	15	2,200	20,000	.....
Metzenthin, Paul.....	8	1,109	20,000	.....
McBee, F. M.....	8	1,014	20,000	.....
Miller, W. W.....	8	1,074	70,000	.....
National Mine Smelting Co.....	8	1,014	500,000	.....
Oil companies.....	N	(3)	234,833	.....
Padillo, Jesus B.....	I	1709	66,767	.....
Rathbone, C. H.....	2	550	40,000	.....
Rio Verde Agricultural Co.....	11	1,667	50,000	.....
Renard, Paul.....	8	1,082	500	.....

† Testimony of 1912.

* Partial.

* Insert 1.

* Cash.

Partial property loss in Mexico, as testified to before committee—Continued.

Name.	Reference.		Amount.	Number, estimated, families.
	Book.	Page.		
Sutton, R. B.....	3	15-E	\$2,400	
Sutton, D. C.....	I	1705	21,500	
Sugar Co., Michoacan.....	5	5-E	25,000	
Simon, Chas. F.....			49,774	
Tabasco Plantation Co.....	9	1,378	2,000,000	
Union Mercantile Co.....	I	1,335	250,000	
Veator, S. H.....	10	1,481	40,000	
Vista Hermosa Co.....	15	2,203	500,000	
Warner, E. R.....	H	95	50,000	
Wieder, L. L.....	N	(2)	20,000	
Wetherell, Lucille.....	11	1,687	7,000	
Whately, Anita.....	8	1,084	60,000	
Wright, Mrs. Mary.....	8	1,027	13,000	
Willis, Felicitas.....	8	1,030	15,000	
Welsh, Fred.....	8	1,140	700	
Yaqui Delta Land Co.....	2	429	2,000,000	
Executive session.....	12	13	75,000	
Do.....	9	567	2,000,000	
Do.....	9	504	17,000	
Do.....	8	819	1,161,000	
Do.....		184	500,000	
Do.....	I	1,310	600,000	
Do.....	L	18	20,000	
Do.....	N	7	1,600,000	
Do.....	L	18	75,000	
Do.....	10	593	996,442	
Do.....	M	26	500,000	
Total.....			50,481,133	

¹ Testimony of 1912.

² Insert 2.

RECAPITULATION.

	Families.	Losses.
Colonists and families outside of colonies, engaged in agricultural pursuits, including some plantation companies.....	3,400	\$38,119,774
Miscellaneous individuals engaged in business on small scale.....		4,273,084
Miscellaneous companies engaged in business on small scale.....		8,088,273
Total.....		50,481,133

Damage to oil companies, other than loss of pay rolls, not included in this list.

Damage to mining companies, other than dynamiting of one plant, not included in this list.

Damage to railroads not included in this list. Is specifically referred to in chairman's remarks.

In addition to the property losses enumerated herein, the committee is in receipt of letters from the following persons who suffered property loss in Mexico:

Brackett, F. S.
Bumgarner, Edward.
Beaty, W. L.
Colver, Walter.
Collins, E. W.
Coon, Jas. T.
Carney, Peter.
Corscadden, Jno. E.
Cunningham Inv. Co.
Garrett, James E.
Houghton, E. L.
Hale, W. P.
Hadsell, S. G.
Hartley, Geo. S.
Mountjoy, Jno. H.

Metzner, F. C.
Papet, R. N.
Page, Mrs. W. R.
Preston, J. W.
Sullivan, Jackson W.
Scheuer, Miss Lucitta.
Synder, O. J.
Sanger, Chas. W.
Thoreson, I. C.
Tull, A. O.
United States Development Co.
Van de Bogert, D. E.
Wilson, J. H.
Windham, Mrs. Mabell.
Windham, Jno. J.

In view of the fact that their losses were not enumerated and certified to, it is impossible to set out the amounts in this record.

DEPARTMENT OF STATE,
Washington, September 9, 1919.

DEAR SENATOR FALL:

So far as concerns the quantity of damages sustained by American citizens in Mexico during the period mentioned, I may say that the department's information on this point is derived from the claims against the Mexican Government which have been filed with it, the facts regarding which are set forth in the following tabulation:

Claims filed alleging damages to property..	772	Number of such claims in which amount of damages is not stated.	118	Total amount of damages set forth in remainder of property claims.....	\$22,835,592.83
Claims filed for alleged killing of American citizens.....	73	Number of such claims in which amount of damages is not stated.	25	Total amount of damages set forth in remainder of the death cases.....	2,317,375.00
Claims filed for alleged injuries to the person.	97	Number of such claims in which the amount of damages is not stated.....	10	Total amount of damages set forth in remainder of personal injuries claims.....	1,476,629.78
Whole number of claims filed during the period specified.....	942	Whole number of cases in which no specified amount is stated.....	153	Total amount claimed in cases where amounts are specified	26,629,597.61

It will be observed that the amounts of the claims given above are those alleged by the claimants in their statements of claim, and are not the estimates of the Department of State.

Sincerely, yours,

WILLIAM PHILLIPS,
Acting Secretary of State.

Summary of losses—American.

Deaths.....	\$14,675,000
Personal injuries.....	2,846,301
Property, individual.....	50,481,133
Railroad, American (estimated).....	112,000,000
Mining (estimated).....	125,000,000
Oil; stock ranches; coffee, sugar, and other plantations; factories; banks; city residences; power plants; irrigation systems, etc.....	200,000,000
Total.....	505,002,434

ABSTRACTS OF TESTIMONY TAKEN BY THE SUBCOMMITTEE OF THE SENATE COMMITTEE ON FOREIGN RELATIONS INVESTIGATING MEXICAN AFFAIRS, 1919-20.

	Part.	Page.
Altendorf, Dr. Paul Bernardo, Pole and American citizen.....	8	122
Practiced medicine at Merida, Yucatan.....	8	122
Afterwards in United States Intelligence Department.....	8	123
Caused arrest and conviction of Witzke.....	8	123
Alvin, A. D., American.....	8	1088
Invested \$25,000 in land, 1,000 acres near Acapulco, in 1909.....	8	1090
Houses, implements, etc., destroyed or stolen by Zapatistas.....	8	1089
Anderson, J. E., American.....	12	1827
Killing of Hazelton Stanley White in June.....	12	1827
And Hennessey in September, 1919, near La Colorada, Sonora.....	12	1830
Anglin, Capt. Everette, American.....	8	1302
Plan of San Diego.....	8	1303
Raid at Ojo de Agua, Tex., in 1915.....	8	1303
One Japanese, two Carranza, and three American soldiers killed and residence burned.....	8	1304
Fight at Cavazos' crossing on Rio Grande shortly after raid.....	8	1305
Citizens move from McAllen.....	8	1307
Gen. Lucio Blanco seized bunch of American horses, refused to return them, showed officer body of American hanging from a tree. Gen. Blanco refused to allow stock to be crossed.....	8	1308
Annin, Joseph P., American.....	5	715
Disorders in Mexico, April, May, June, and July, 1919.....	5	715
Atwood, L. P.....	17	2399
Affidavit of good conditions under Diaz; account of robbery; outrages in his section and itemized list of losses.....	17	2399
Ault, Leroy H., American.....	15	2229
La Esmeralda rubber plantation in State of Vera Cruz.....	15	2229
Conditions turbulent under Madero.....	15	2231
Conditions under Huerta.....	15	2231
Notified to get out.....	15	2231
Experiences in getting out.....	15	2232
Deportation of Americans from Mexico.....	15	2240
Destruction and loss of property.....	15	2241
Claim filed.....	15	2242
Cause of troubles in Mexico.....	15	2243
Huerta favored.....	15	2244
Carranza can not pacify country.....	15	2245
Opinion as to what should be done to put Mexico right.....	15	2245
People not opposed to intervention.....	15	2246
Austin, Mrs. Mary, American.....	8	1312
Killing of her husband and son at Sebastian, Tex., August 6, 1915, by Mexican raiders.....	8	1313
Bagge, Nils Olaf, American.....	9	1426
Conditions in Mexico after 1913.....	9	1426
Engaged in mining, Sonora.....	9	1426
History of mining in Mexico.....	9	1427
Mining investments by Americans.....	9	1427
Troubles began in 1910.....	9	1429
Had no concessions.....	9	1430
Paid ransom for his superintendent.....	9	1431
Feelings of Mexicans toward Americans.....	9	1431
Did not appeal to his Government for protection because useless.....	9	1431
Americans in Mexico called renegades by State Department.....	9	1433

	Part.	Page.
Bagge, Nils Olaf, American—Continued.		
Americans paid for what they got in Mexico	9	1433
Mexicans do not put money in big enterprises	9	1433
Secret of Villa's power	9	1433 ✓
Banditry kept alive by Carranza generals	9	1433
Source of Villa's ammunition supply	9	1434 ✓
Carranza troops more ruthless than Villa's	9	1434
Seizure of wives and daughters of prominent men	9	1434
How Columbus raid was made	9	1435 ✓
Pershing expedition	9	1435 ✓
Trevino's warning; Pershing's troops at Parral	9	1435 ✓
Possibility of catching Villa	9	1435 ✓
Sentiment of Mexicans as what ought to be done	9	1435 ✓
High-class Mexicans only reliance; need outside help; Latin Americans all want to lead	9	14: 6
Politics personal	9	1436
Revolutions start with manifesto and promise of land	9	1436
Difficulties mine managers contend with under Carranza	9	1437
Division of land not practicable	9	1437
Promises not honest	9	1437
Solution of Mexican situation, two offered	9	1438
Bailey, Mrs. Lola C., American	8	1027
Farming in Valles district, San Luis Potosi	8	1027
Driven off land, property destroyed; brother disappeared at Aguascalientes	8	1029
Barnes, A. C., American	12	1869
Chairman Young Men's Business Association, Nogales, Ariz.	12	1870
As to testimony of Mr. B. Curtis that chairman of subcommittee was in error in saying citizens along border loath to appear and testify before same	12	1870
Barnes, Maj. R. L., American	8	1231
Intelligence officer, Southern Department	8	1232
Plan of San Diego	8	1232
Raids at Brownsville, Webb County, Big Bend, by Carranza soldiers and officers	8	1232
Names of generals directing raids	8	1232
✓ Carranza pro-German	8	1234
German minister; espionage system unchanged; Kurt Jahnke with Lathar Witzke	8	1225
Official press at Mexico pro-German	8	1235
Pilavichini expelled for supporting United States in World War	8	1235
Duty on paper paid in kind and paper given to pro-German publications	8	1235
Carranza protected American slackers	8	1236
Gale's Magazine in Mexico City and Lynn Gale investigated	8	1236
Martens, soviet ambassador	8	1237
Gale close to Carranza	8	1237
American Government sustains Carranza in power	8	1238
Efforts to be friendly with Mexico; efforts to have Carranza support United States	8	1239
Mexicans gathered information along border for Germans	8	1239
Draft explained to Mexicans to overcome German propaganda	8	1240
Mexican consuls in false propaganda	8	1240
Bartch, G. W.	18	2719 ✓
Went to Mexico, 1907, to study mining industry, State of Oaxaca; represented Americans who desired to build railroad from Salina Cruz to Acapulco and to Oaxaca	18	2719
Organized holding company and became general counsel	18	2719
Was sent to purchase Oaxaca & Ejutla R. R.	18	2720
Met President Diaz, Senator Tomacho, Senator Jose Castelasos, and Gen. Aguilar, chief of staff to Diaz	18	2720
Describes railroad concession obtained	18	2720
Company put up \$96,000 Mexican internal bonds for	18	2720
Road never built account of revolution	18	2720
Bonds forfeited	18	2720
Describes American policy toward construction railroads	18	2721

Bartch, G. W.—Continued.

	Part	Page
Success of his company meant transcontinental line.....	18	2721
Diaz liked Americans.....	18	2722
Castelanos now exile.....	18	2722
De la Barra exile.....	18	2722
Gamboa great statesman.....	18	2722
Investigated claims of Mormon colonies.....	18	2723
Describes settlement of.....	18	2723
Mormons had no trouble up to time of Madero.....	18	2723
Schools in Mexico during Diaz régime.....	18	2723
Influence of Catholic Church.....	18	2725
Plan to drive Americans out.....	18	2726
Salazar speech at Pearson.....	18	2727
Speech Gen. Antonio Rojas at Chuichupa.....	18	2728
Salazar at Colonia Juarez.....	18	2729
Confiscation of American homes at Chuichupa.....	18	2729
Raiding of Colonia Dublin by Salazar.....	18	2729
Exodus Mormons from Colonia Dublin.....	18	2730
United States compelled to care for them at El Paso, Tex.....	18	2730
Colonists driven from Colonia Diaz.....	18	2731
Letter from Federal Gen. Blanco to Mr. Farnsworth explaining why did not attack bandits.....	18	2732
Invasion of Colonia Garcia.....	18	2733
Invasion Colonia Chuichupa.....	18	2733
United States made no effort to protect.....	18	2734
Invasion-Colonia Morelos by Salazar.....	18	2735
Invasion Colonia San Jose by Salazar.....	18	2735
Salazar speech at San Jose.....	18	2736
Mistreatment Americans by Salazar at Morelos.....	18	2736
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Hernandez, Braulio	17	2518
Madero and Vasquez Gomez brothers against Diaz; borne by them; campaigning in Chihuahua without their aid; only \$100 from Madero for stock in printing company; October, 1910, told Madero in San Antonio "we will declare war if you do not"; Madero gave him \$100.	17	2518
Abraham Gonzales collected \$400	17	2519
Alfonso Madero sent \$2,500 and \$1,600	17	2519
Later \$1,800, from him while in New York; he pawned his ring to send message	17	2519
Mr. Gonzales secured several hundred dollars; Madero, senior, gave to Luz Soto \$2,000	17	2519
Again received \$2,000	17	2519
F. Madero and brother hid in house 22 days in El Paso; did not pay wash bill	17	2519
Gustavo Madero sends Gonzalez Garza near \$10,000	17	2519
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Shelton & Payne Arms Co., of El Paso, handled arms and ammunition for revolution. Did not charge commission. But loaned money to pay express and freight bills.	17	2519
Ernest Madero paid Gustavo Madero \$300,000 for expenses of revolution.	17	2520
Only foreign help witness received \$480 worth of arms and cartridges.	17	2520
Revolution fought out with "Abnegation and hunger" of the Mexicans	17	2520
Pays respects to Orozco and Didapp	17	2520
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+ Relates murder of Bernard Boley, Texas, 1915; burning of bridge south of Sebastian, July, 1915.	8	1254
Battle between soldiers and citizens at rancho Tule, 22 miles from Brownsville; McGuire killed, two or three wounded.	8	1255
Robbery of Alexander's store at Sebastian, August, 1915; relates murder of Mr. Austin and his son; attempted assassination of Charles Jenson at Lyford, Tex., August 7, 1915.	8	1256
Relates attack on automobiles in which Mr. Conrad and Sonny Huff were wounded; attack on Norias ranch, August 8, 1915; Jim Forbes and Frank Martin wounded; several outlaws killed; patrol of soldiers fired upon at Palm Garden; Waterfield, a soldier, killed.	8	1257
+ An American killed near Palm Garden few days later; three bridges burned above Brownsville; attack of Fresno pump, 12 miles from Brownsville; burned construction works and bridges; execution of John Smith and Donaldson near Los Fresnos, Tex.	8	1258
Attack on Galveston ranch; soldiers killed and wounded; attack on American girl near Harlingen; derailing of train near Brownsville; passengers shot; killing of Dr. McCain and wounding of Harry Wallace on train.	8	1259
District Attorney Kleiber robbed; Corp. McBee killed; Brasher and engineer killed (Kendall); killing of Juan Garcia.	8	1260
Captured arms and equipment; Lieut. Newman crossed into Mexico; relates occurrences across river.	8	1261
Americans leaving for interior; loss about half million.	8	1262
Cause of raids, I. W. W., Magon, etc., their explanations.	8	1263
Instructions not to kill Germans or molest them; had officers named when they took part of Texas; Germans were to furnish arms and ammunition, etc.	8	1264
Hines, Marcus, American.	8	1309
Relates Norias fight; Martin and Forbes and three United States soldiers wounded.	8	1309
Bandits killed Mexican woman, and rangers killed four of attacking party; mentions killing of two Americans, Smith and Donaldson, also the two Austins.	8	1310
Germans back of plan to take Texas.	8	1311
German flag, owner said Mexicans told him it would save him from the raiders.	8	1311
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Bad conditions since revolution all along the border; raids, murder, and stealing.	8	1182
Mentions bandit raids; two Mexicans killed and two American officers wounded in first fight.	8	1182
Bands organized on Mexican side of river.	8	1183
Reign of terror on Texas side during raids.	8	1183
No farms under cultivation that year.	8	1183
Hundreds of American families had to leave their Texas homes on account of conditions along the Texas side of Rio Grande.	8	1183
Very little property taken in raids, mostly by stealing; raids were for the purpose of killing Americans.	8	1184
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Was attorney for Carranza between April 1, 1913, to September 15, 1914; was at Niagara conference June, 1914, at which it was agreed on embargo of arms to Mexico; subsequently a shipment of arms and ammunition was made on Antilla, New York to Tampico.	16	2411

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Carrancistas understood they would be allowed by United States Government to ship arms and ammunition to Cuba, but they would see that ship did not proceed to Cuba, but to Tampico instead; that vessels so engaged would be subject to fines; several cargoes were shipped in this manner and vessels fined, but remitted by order of the Secretary of the Treasury; Lind go-between Carranza junta and department while still representative of Wilson and in his pay.....	16	2412
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Identifies quotation of letter to Carranza from witness advising Carranza not to be influenced by Bryan, as he will sacrifice any great principle for own political ambitions; identifies another quotation against Carranza trusting Bryan.....	16	2414
Identifies another quotation advising that Lind as personal representative of Wilson had more influence than Bryan; Felicitas Villarreal represents Carranza here; imprisoned two years by Carranza; later was hostile to Carranza, caused by him being against issuance of paper money; superior education and fine fellow.....	16	2415
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Visited Mexico June 1, 1911, after triumph of Madero; summoned to confer settlement of certain affairs; familiar with National lines of Mexico.....	17	2521
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Know Gustavo Madero; in constant consultation with him.....	17	2523
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Waters-Pierce Oil Co. had no relation events 1910-11 in Mexico; Diario Oficial of Mexico shows no concessions to witness; made it hot for El Aguila Oil Co., thought them dishonest, but knows nothing of dissolution of that company; did not represent Speyer & Co.; did not receive any money from anyone to pay off a loan.....	17	2526
De la Barra government reimbursed Gustavo Madero \$300,000 gold for advances made by him in revolution; thinks he received a fee of \$50,000 from this fund for services rendered from November 1, 1910, to June 1, 1911; knows of no loans to revolutionary factions from Americans or American companies.....	17	2527
Employed by Gustavo Madero; did not act in a dual capacity; gives idea of legal advice furnished.....	17	2528
Azcona, member of revolutionary committee in Washington, arrested on trumped-up charges; released; did to create public sentiment...	17	2529

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Does not think Madero borrowed any money; had it; suit against Madero brought by Diaz Government to harass Madero; was not connected with Waters-Pierce Oil Co. when Limantour was in New York; employed by Henry C. Pierce in Mexico July, 1911; later, January, 1912; consulted by Pierce one month after fall of Juarez, first time.....	17	2531
Pierce employed witness to expose certain crooked people, so-called Cientificos; they had secured concessions from Government, so-called Pearson concessions; Aguila Oil Co. deals in refined product of oil; Pearson Oil Co. deals in crude oil, in competition with Waters-Pierce Co.; Waters-Pierce Oil Co. operating under great disadvantage on account of Diaz Government granting vast oil concessions to competitors; had been going on for long while.....	17	2532
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List of United States soldiers killed in the Columbus, N. Mex., raid.	10	1622
Joyce, Father Francis P., chaplain, United States Army:		
— Six or seven hundred sisters in Veracruz, 1914, many in disguise and in want.	18	2656
Many priests serve bishops and archbishops there; some working as waiters in restaurants; Father Kelley gave some assistance; United States Consul Silliman, personal representative of President Wilson, said, when appealed to for aid to sisters and priests, "It is generally admitted by everybody that the worst thing in Mexico, next to prostitution, is the Catholic Church, and both must go." Mexican woman offered gold to an American officer to marry her daughter to save her from Candido Aguilar; refused, later Aguilar ruined her, then married Miss Carranza.	18	2657
Consul Canada tried to help; some sisters became mothers; many were diseased; Funston sympathetic but failed to get boat from United States departments for them.	18	2658
Mistake in not recognizing Huerta; untrue Huerta was a bad man, not guilty of killing Madero; received very discourteous treatment by United States; taken sick; bond \$38,000; Duboe, United States officer, tried to graft on him.	18	2659
Moved back to prison; operation on Huerta wrongfully done, caused his death; firm of lawyers in El Paso got \$7,500; Hattner, \$17,400, \$13,000 lost to widow in favor of United States Government.	18	2660
John Lind against Catholic Church in Mexico, said at Veracruz, "The thing wrong with Mexico is the Catholic Church, and they should keep the Catholic schools and churches closed for a generation, and they will then be rid of the church in Mexico;" quotes time of Juarez; despoiled church; influence of priests on natives good; 400 sisters left in Veracruz when Americans evacuated city, reported Villa and Carranza tried to have one prostitute to every four soldiers; Catholic Church failed to render aid to their people at first.	18	2661
Carranza at banquet board supplied each guest with a "chalice" for a wine cup; many American sisters taken off train near Veracruz by soldiers.	18	2662
Karns, H. J., American.	12	1899
Merchant, export trade with Mexico, 1899; has had no difficulty in commercial relations with Mexico and has operated during all revolutionary period, 1899; business occasionally suspended, 1900; conflicts on border at Nogales, 1900; traffic south of Nogales interrupted, 1900; railroads running south of Nogales in hands of owners and factions, 1900; experience with local authorities pleasant, 1900; Yaquis trying to make treaty, 1901; soldiers in Sonora mostly Mayos and Yaquis, 1901; Americans put to no inconvenience by Federal troops, 1902; collectors of customs and consuls of Mexico always pleasant in relations with Americans, 1902; consuls at Nogales not always friendly inclined, 1902; removal of consul at Nogales for participation in theft of an automobile, 1902; Gen. Obregon had consul removed, 1902; implicated by letter found on Mexican killed by Americans, 1903; substance of letter, 1904; Obregon friendly to Americans, 1904; business on west coast of Mexico, 1904; railroad south of Nogales out of commission, 1905; slight interruption of traffic, 1906.		

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Part received at Castroville, Tex.; tried to tell American people about Mexico; priests penniless; disguised as peons to get out; assisted by him.....	18	2666
Method of ransom for priests; how and why exodus of Catholics.....	18	2667
Corroborates Mother Elias, former witness; her return to Mexico to help nuns; trouble with Mexico "anticlericalism".....	18	2668
Mexico only a democracy and republic in name; Catholic candidate for vice president received more votes for vice president than Madero candidate, but counted out; quotes extract from Bryan letter of March 20, 1915 "Flower of democracy lies religious freedom"; criticizes constitution of 1857; sentiment of Mexican Catholic; Luis Cabrera no friend; politicians Mexico adopted principles French revolution; antireligious.....	18	2669
People of Mexico do not hate church, only politicians; church against looting, atrocities, therefore politicians hate church; wants religious freedom in Mexico similar to United States.....	18	2670
Quotes number of Catholics and makes comparisons.....	18	2671
Quotes Eber Cole Byam on Catholic Church, Mexico.....	18	2672
Quotes figures and makes comparisons of Catholic and Protestants, worship, etc.....	18	2674
Education in Mexico among Indian tribes.....	18	2676
Quotes ancient history of Mexico and work of Catholic Church, Mexico.....	18	2678
Only union of church and state Spanish régime in Mexico; Catholic political party formed just before Madero took office, object to reform constitution of 1857, reference church; similar to the United States; disagrees with Lind statement about schools in Mexico; "ignorant or an intentional prevaricator;" believe what Mr. Frisbee said about Lind conversation re Catholic Church; not a Jesuit.....	18	2682
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Further refutes Lind.....	16	2387
American owners of oil lands actually confiscated; law of 1884 to remain in force until January 4, 1892, which granted private ownership to private individuals of oil, etc.....	16	2389
Three provisions of mining code do not admit change of individual rights to subsoil rights to individuals; all in accordance with laws of 1539 and 1881; constitution 1917, articles 14, 27, 126 not retroactive and might be construed not depriving owner of subsoil rights, but Carranza decrees beginning February, 1918, eliminates private ownership of petroleum beneath surface.....	16	2390
Arredondo pledged protection, rights, lives, and property; foreigners not made good.....	16	2391
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Went to Mexico, left in October, 1917: farming and stock raising. On Atascador Colony, 100 families at that time; 425 acres owned, Americans owned small tracts each, poor people; 192,000 acres in ranch before being subdivided for colonization by E. H. Campbell & Co., of Tampico; had schools and church, maintained by Americans; conditions ideal up to time of revolution; trouble began in earnest when we went into Veracruz: colonists good, honest, law-abiding citizens; treated well by Mexicans until break came; relates ravishing girls of Mr. Gourd, sent for soldiers, did not come, ordered to leave station (Huerta soldiers).....	13	1950
Later Huerta soldiers executed eight men, Javalá family and another Mexican, for above crime: so reported; went to jungle, built camp, remained there 22 days; went to jungle again when Pershing went to Mexico.....	13	1952
Actual facts; Ebano occupied by Huertistas, Villistas, laying siege; Villistas robbed Bird and Zigler, and Mexican ranchmen and Americans took charge of Dunheim, Limmerfall, Morehead, and young King; killed Bird; the two Germans, Dunheim and Limmerfall, had accused Bird and Zigler of stealing, but they only took their own cattle back that the two Germans had stolen from them (Hanson)...	13	1952
Carrancistas began stealing and robbing; Weder robbed of cattle, protested, was killed by Gen. Larraga, 24th of October, 1917; no protection from Carrancistas; boy punched with a gun in back and robbed of horses; Carranza general in league with thieves.....	13	1954
Two German families remained there, well treated by Carrancistas; American colonists lost all, scattered all over world; no help from American Government, only to assist some to get out of country; no concessions; American enterprise had wonderful good effect on laborers.....	13	1956
Mentions murders of L. A. Dunn and three other Americans and one Mexican with pay roll; Franklin, Pilgrim, on Chamal, mentions San Dieguito colony losing several hundred head of cattle; ran away by Manuel Larraga; all farms grown up in brush; Germans to fight with Mexicans; depended on United States Government for protection, but received none.....	13	1954
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Mines in Mexico practically abandoned in 1880; when Americans started mining operations old mines were reclaimed and placed in operation with up to date machinery, etc.; in each instance the mines were bought and paid for when obtained from Mexican owners; mining flourished under Diaz.....	9	1463
Since revolution began mining has fallen off 90 per cent.....	9	1464
Testified re execution of American citizen, Howard L. Elton, a mining engineer, by rebels after guaranty to United States that it would not be done.....	9	1468
Testified to killing of Boris Gorow, an American citizen, in Jalisco by rebels; his gold teeth were beaten from his head before he died.....	9	1469
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At time commenced operations Mexican scale of labor in their vicinity was from 17 to 37 centavos daily; increased their scale to \$1.60 per day; established free hospital, schools, and built houses for laborers who lived in them rent free; did not operate under any special concession and did not ask any.....	9	1378
1917 was last year able to harvest any sugar, when got out 4,076 bags; this compared to 50,000 bags in 1912, 38,000 bags 1913, 38,000 bags 1914, 26,000 bags 1915, 17,000 bags 1916; this reduction was caused by continual harassing by Madero and Carranza governments; labor agents were sent to plantations by these governments, who took laborers away and forced them into army.....	9	1379
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In year 1915 forced to pay tribute to bandits under Alor in amount several thousand dollars; during most of time was also forced to feed and house Carranza troops on plantation; was forced to turn company boats over to Col. Silva, of Carranza army, to use in clearing river of bandits as protection to plantations; later learned that Carrancistas and rebels were in accord; Col. Silva was using their boats in transporting loot being turned over to him by bandits who were working on 50-50 basis.....	9	1382
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Upper class of Mexicans want intervention.....	7	870
All the bad feeling toward Americans caused by action of our Government in our "watchful waiting policy".....	7	870
Mexico in normal conditions now, abnormal under Diaz.....	7	871

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Medler, Judge E. L.	10	1624
January, 1912, to January, 1919, judge of the third judicial district of New Mexico; prior to that date assistant United States district attorney in New Mexico; designated by Supreme Court of New Mexico to hold court in Deming, Luna County, N. Mex.; Luna County in district of United States Judge Colin Neblitt; Columbus raid came before him; raiders tried before him; seven and a little boy, Jesus Paiz; six were tried under one indictment and one and the boy under another; first-named six were tried and sentenced to be hung, which was done later; executions held up by President for investigation into facts in case; all took stand in own behalf, plead they were under military orders, therefore not guilty; evidence by them nature of confessions. . .	10	1624
Attorney General of the United States, Secretary of War, Secretary of State, and Mr. Stone, Department of Justice, and Gen. Funston wired protesting against their trial for the reason it would cause complications with the Mexican Government; gives reasons to Stone why request would not be granted; Pershing in Mexico chasing Villa a co-defendant of these prisoners, etc., and that he would have no "watchful waiting" around his court, etc.; Summers Burkhardt, United States attorney at Albuquerque, phoned witness he had received instructions from the Attorney General to go to Deming and protest, for the reason they could not get a fair trial there; ordered to come into court and repeat his message; he apologized and trial proceeded. . .	10	1627
Metzintin, Paul, American	8	1105
In Mexico, 1913, southern part Sonora; ranchman; irrigated farm; raided 6th of May, 1913, by Yaqui Indians; Lieut. Espinosa, of the Carranza government; held machetes to the throats of the three Americans; took hogs, stock; destroyed irrigation canals; took all clothing off family but underclothes; 30 days later burned house and barn; young sister not normal since assault; lapse of memory; 200 American families driven out; loss, \$20,000, no reimbursement; sister assaulted 14 years of age. . .	8	1105
Miller, W. W.	8	1069
Went to Mexico 1906; invited there; promised protection; lost all his investments; no protection under Taft or Wilson; investment, \$70,000; all colonists with him lost all they had; damage claim denied, colonies; San Antonio plantation, Faulkner plantation; Boco de Copa. . .	8	1069
Mitchell, William Bain	5	685
Banker in Mexico many years, different places, 1898 to 1917; exchange broke when Obregon entered Mexico City with worthless paper money in August, 1914. . .	5	686
Huerta's loan; arbitrary. . .	5	686
Witness and his attorney arrested when they went before De la Lama, secretary of finance. . .	5	687
Later released when they agreed to comply with their part of the loan. .	5	687
Huerta did not personally benefit by it. . .	5	687
Carranza remitted large sums of money to the United States and other countries, sometimes by special messengers. . .	5	687
Carranza remittances began at once and continued to date. . .	5	687
Witness then goes fully into different issues of money in detail. . .	5	688
Worthless issues forced on laborers and small merchants who suffered thereby greatly. . .	5	690
Any refusal was punished by fine and jail, which had to be paid in gold and silver; his bank forced to take this paper heavily. . .	5	690
Sud Americanische, a German bank, had unusual protection and privileges, explains. . .	5	690
Explains looting of the banks of Mexico by government. . .	5	691
Explains suit filed in New York, for funds of Bank of London and Mexico. . .	5	692
Luis Cabrera was minister of finance when banks were looted. . .	5	692
Had conversation with Cabrera, protesting that action was against their laws; his reply was "Necessity knows no law, and we need the money" . . .	5	693
Troops not paid yet; Government took large sums from all the banks daily. . .	5	693

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Mrs. Carranza crossed border October, 1916, with nine cases of gold and silver.....	5	693
Franklin K. Lane received notification of this while he was with delegation at Atlantic City by telegram from custom officer at Laredo; later witness was at Laredo and checked it up; true.....	5	693
New York bankers on lending money to Mexican Government dubbed them as "bunch of bandits".....	5	694
Monohan, Mike.....	8	1265
Wounded in Los Tultitos fight.....	8	1265
Raiders came from Mexico.....	8	1265
Relates details as to fight, in which he and Sonny Huff were wounded. Conditions bad on Texas side of border; Mexicans wore khaki clothes..	8	1266
Na'arrate, Carranza general in charge Matamoros at that time, relates Galveston ranch fight, killed soldier Sergt. McGrath.....	8	1267
Moore, Mrs. Susan.....	7	956
Had been living Columbus, N. Mex., several years prior to March, 1916; husband and herself owned and operated general merchandise store, carrying stock approximately \$12,000.....	7	962
Had built fine bungalow home on outskirts of town of Columbus.....	7	962
March 7 and 8 noticed many strange Mexicans in town of Columbus; one Mexican in particular came into store and bought suit overalls..	7	957
Night of March 9 town was raided by approximately 700 Mexicans; store was ransacked, windows broken, and goods carried away; bandits entered their home; while two Mexicans held her others killed her husband before her eyes, laughing and joking while so doing; bandits tore rings from her fingers; robbed house of everything of value.....	7	959
In confusion managed to escape and ran toward town, which was on fire.....	7	959
Bandits shot her in the leg.....	7	959
Laid out in bushes until found by American soldiers next morning..	7	959
Was in hospital several months from wound and is permanently crippled from wound and nervous wreck from treatment; financial loss, \$10,000 in goods and damage to store and home; Mexican who tore rings from her finger recognized as one who had bought overalls day previous.....	7	962
Morrison, N. S., American.....	8	1116
Reporter San Antonio paper; reference to publications that members of committee were privately interested in Mexico; referred committee to Miss Smith, another reporter.....	8	1116
Murphy, W. S.....	10	1577
Telegraph operator, Columbus, N. Mex.; testified relative to Col. Slocum, commander at Columbus, receiving telegram from military headquarters at Douglas, Ariz., day or two before raid warning him that Villa was in vicinity, etc.....	10	1578
Relative to arrival in Columbus two days before the raid of George Sees, Associated Press correspondent, with telegraph operator.....	10	1579
Relative to Associated Press operator being in telegraph office trying to get wire connection hardly before Villistas were out of town.....	10	1580
Relative to signal fires and wire fence being cut right before raid.....	10	1581
Generally suspected by civilians that town might be raided for several days before actual raid.....	10	1582
Neill, Sam H.....	10	1540
Relates "Brite Ranch" raid; wounded.....	10	1541
Details fight, Mexican killed had on uniform coat, Carranza; raiders went back to Mexico, soldiers and officers in pursuit.....	10	1544
Robbery of Baldwin's store, Candelaria, Big Bend.....	10	1548
Carrancistas stationed across from place of robbery could see robbers from this side; no assistance from them.....	10	1548
Relates theft of cattle by Chico Cano bunch from Eulalio Nunez.....	10	1549
Testifies as to conditions before and after revolution; Mexican officer seen riding stolen horse from this side.....	10	1550
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Details condition of house and murder of Mexican woman in his house during fight.....	10	1513
Bandits with Carrancistas guilty.....	10	1513
Col. Langhorne followed them into Mexico, two troops, killed several.	10	1514
November 12, 1917, Carranza officer sent 50 men over to Texas side to capture us, but did not do it; drove off seven head of cattle as they returned.....	10	1514
Carrancistas stole and killed all cattle and took off horses; ranch abandoned.....	10	1515
Ochs, Capt. William V., United States Army.....	10	1643
Big Bend district; no assistance from Carrancistas; raids and thefts too numerous to mention.....	10	1643
Took part in following Tigner raiders into Mexico with Capt. Matlack; Ricardo Flores and three soldiers killed, identified by Mexican officers and consul as Carrancistas, December 17, 1918, in Texas....	10	1644
No discipline in Carrancista Army at Ojinaga.....	10	1644
Mexican consul admitted they were not able to cope with depredations; Col. Cevallos in charge under indictment for embezzlement.....	10	1645
Many deserters from Ojinaga in March came to this side; they made brick for United States officers; Carranza officers tried to get them back, but they refused; deported, went with them, watched over them, saw they were not punished; consul, Mexican, only promised cooperation; did not do anything.....	10	1645
Impossible for either Mexicans or Americans to remain in Big Bend if soldiers should be withdrawn.....	10	1647
Oliver, H. T.....	4	679
President Oliver, American Trading Co., New York, has contract with Maj. R. B. Sutton, president American Gun Co., for 5,000 Mauser rifles for Carranza Government, under license, war trade, September 16, for 15,000 guns and 15,000,000 rounds of ammunition, 1919.....	4	679
Letter to Oliver American Trading Co, date October 14, 1919, showing Fletcher refused to allow arms and ammunition enter Mexico; Secretary Lansing states only temporary delay.....	4	680
Ortiz, Melquiades.....	14	2143
Labor Agency, San Antonio, Tex., shipped during February, Mexican laborers into interior of United States; many gave as their reason for coming here no work, small wages, etc., in Mexico; came of own accord.....	14	2143
Osborn, M. L.....	14	2153
Labor Agency in San Antonio, Tex., handled about 400 in February for interior points, Mexican laborers from Mexico, furnished list; no solicitation, no advertising to get them.....	14	2153
Shipped six or seven thousand during war times; told him that corn was very high, also beans; no meat, starving, very little work, low wages; better prices here; one stole two burros and sold them to get here.....	14	2154
Children and women naked, some with paper around them, where they came from.....	14	2155
If they plant corn, Carrancistas or other bands take it; glad to escape with their lives; class ignorant but able-bodied men; approximately 75,000 came in the United States in February and March.....	14	2155
Waded the river, robbed on Mexican side by supposed Carranza officials.	14	2156
Laborers, principally from Michoacan, Jalisco, and Guanajuato, few from the border States.....	14	2156
O'Shaughnessy, Nelson.....	18	2705
Diplomat.....	18	2705
Madero analyzed: Procrastinator, did nothing; wanted division of land; not consummated; land situation Mexico exaggerated.....	18	2706
Gustavo Madero ran Government—Madero Government—similar to that of Diaz towards last; only way to rule Mexico; knew Huerta secured results through Huerta; Bryan instructed to make request of Huerta; Huerta strong character.....	18	2707
Liked Americans, as were all public men; always protected Americans, even protected them after Veracruz incident; pulled statue George Washington down; no Americans injured or killed; Huerta saved them by orders; Lind's mission to Mexico to force Huerta out; Lind favored Carranza.....	18	27

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Present conference with Huerta and Gamboa and Lind when presenting document from Wilson; relates Lind threat to Gamboa and Huerta; threatened with intervention; Lind knew nothing of conditions; Lind strong against English oil interests and oil companies and religious situation; against Catholic Church; relates conversation Lind about Carranza killing people; objected to United States alliance with him, defended by Lind; Americans high class in Mexico; disagrees with United States policy towards Huerta; gives reasons.....	18	2711
Discusses United States policy with Mexico; Carranza anti-American; State Department fully posted; relates Huerta statement reference to law and order, establishment of same; rebels, Carrancistas turned on United States.....	18	2712
Henry L. Wilson did not connive at overthrow of Madero; Americans in Mexico approved his work; compared attitude of Mexican Government and United States as to protection of Americans in Mexico; would not stop at letting them be good.....	18	2713
Advises intervention only as a last resort; detail of how; best men in Mexico exiled; discusses Catholic Church.....	18	2714
Discusses religious matters; Catholics always stood for law and order..	18	2715
Discusses elections; substantiates Buckley as to conversation or statement re Catholic Church made by Lind.....	18	2716
Paiz, Jesus	10	1616
Carrancistas killed his three brothers, he and his father then joined Villa; relates Columbus raid by Villa outfit; his leg shot off; later testified several raiders hung.....	10	1618
Parmelee, Mrs. F. M.	8	1175
Murder of her husband, F. M. Parmelee, near Brownsville on Texas side of River, by Carrancistas under de la Rosa, furtherance of plan of San Diego, 1917.....	8	1175
Peterson, Mrs. Ethel	10	1665
Relates to killing of her husband, her brother, Mr. Akard, and Mr. Jensen, at Corner Ranch, on Mexican side; no one ever punished for murders.....	10	1665
Poorbaugh, P. F.	8	1050
Invited to invest in Mexico, assured of protection; bought 1,000 acres out of tract; colonized 162,000 acres, Santa Lucrecia, Isthmus.....	8	1050
Forced to leave for United States by representatives of this Government, only hand bags allowed to be taken.....	8	1052
Mentions killing of E. E. Morgan, April 8, 1920; warned by German Consul to claim to be an Englishman or German.....	8	1053
Described assault on Americans at ranch.....	8	1054
Conversation with John Lind about Huerta.....	8	1057
Confiscation of property.....	8	1059
Rathbone, C. H.	2	545
Controls about 30,000 acres; oil leases and fee simple, in Tampico oil fields; secured same from owners; Mexican citizen secured permits to drill on his land, legal proceedings followed; not decided; brought in 30,000-barrel well, drilling another; kept United States department fully advised.....	2	545
Corresponded with United States and British Government about it; Promised to file correspondence, not with him.....	2	547
Files copies of documents to British Embassy and State Department...	2	548
Depredated upon by Candido Aguilar, Carranza's son-in-law, and Pedro Rodriguez, Carranza official; sugar plantation robbed and damaged; account filed with consul; will get it for committee (Rathbone Appendix C, p. 580); related damage to ranch, 25,000 acres, manager ran away stock, and henequen complete loss.....	2	550
Rathbone Exhibit C—letter New York, August 16, 1919, to Rathbone, signed Burton W. Wilson, translation of amparo and papers; letter to Scottish Mexican Oil Co., 120 Broadway, New York, signed R. Pardo; legal opinion as to proceedings, reference circular November 15, 1915; commerce and labor as to permits to drill.....	2	580
Opinion rendered by Ignacio Rodriguez, against Scottish Mexican Oil Co., on amparo represented by Lic. Rafael Pardo.....	2	581

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Case of the Scottish Mexican Oil Co. with Commerce and Industry Department in Mexico; translation No. 1 and translation No. 2, December 4 and December 28, 1918, signed Rafael Pardo.	2	585
Renard, P. C.	8	1080
Architect and engineer, in Mexico 1907 to 1913; relates Chinese massacre, Torreon, May, 1913.	8	1080
Richards, Joseph Allen.	7	967
Found bodies of Cecil Connolly and Frederick B. Waterhouse, September 21, in Bay of Los Angeles, Lower California; circumstances under which bodies were found; Italian William Rose present finding bodies, also Mexican captain, 11 Mexicans, and a prostitute; Mexican boat Navari, of Santa Rosalia, Alejandro Abaro, captain; exhibits snap shots marked "Exhibit Nos. 1, 2, 3"	7	969
Arrival Santa Rosalia on Navari, went to Providencia, made sworn affidavit as to finding of bodies; captain Navari threatened witness; later arrested by Abaro; arrived Nogales, conferred with Intelligence officers, later returned to get bodies on destroyer Aaron Ward.	7	972
Arrived Port of Angeles October 19, 5 p. m.; recovered bodies, Mexican authorities examined first; went 20 miles up coast to get aeroplane.	7	972
Crew of Navari stole property at near Angeles belonging to Mr. Thompson of Nogales; exhibits picture of recovered aeroplane, Exhibit 5; Exhibit 6 of engine.	7	973
Recovered papers, but not personal effects.	7	974
Mexicans took insignias from witness taken from bodies of dead men; telegram requesting witness to join expedition after bodies; Washington, D. C., October 11, 1919, Mr. Joe Allen Richards, signed Harris; special orders, No. 135, Nogales, Ariz., October 12, 1919, authority for transportation, signed by Fred L. Walker, lieutenant colonel, Twenty-fifth Infantry, United States Army adjutant.	7	974
Germans strong in Santa Rosalia, treated well, quotes letters from Connelly and Waterhouse to their mothers.	7	975
Descriptions of where they fell, signed Fred Waterhouse; bodies covered by human agency; Mexican made sworn statement that the Mexican boat Esperanza had picked up these men, landed them at Port of Angeles for water, Americans had money; Esperanza searched and found them; altitude, clock, compass, and chairs of aeroplane aboard this boat; claimed to have been given him by Mexican to keep; no representations made to Cantu.	7	979
Riggs, Lee.	10	1588
Deputy collector of customs, Columbus, N. Mex., interpreted for Col. Slocum, Juan Favela report on approach of Villa on Columbus.	10	1589
Relates beginning of Columbus raid.	10	1592
Statement of Bunk-a Negro, given to witness; saw bodies of murdered and burned Americans.	10	1594
American reinforcements came from Deming, N. Mex.; called by Mrs. Parks, telephone operator; saw memorandum book found after raid.	10	1595
Mexican Francisco Prado written in book; gives synopsis of contents of book.	10	1596
Saw six prisoners after raid, relates trial, etc.; five hung; made confession to witness.	10	1597
All prisoners wounded in raid; related raiding of Moody ranch; disappearance of Tom Kingsbury; relates killing of Andy Peterson, Jensen, and Hugh Akard on Corner ranch.	10	1598
Gives names of Americans murdered at Columbus raid; N. T. Ritchie, H. H. Walker, Charles De Witt Miller, Dr. H. M. Hart, James T. Dean, J. J. Moore, Mrs. M. James, C. C. Miller, and Harry Davis; tells who each was; wounded; Mr. James, Mrs. J. J. Moore, A. D. Frost, and M. Puchi.	10	1623
Ritchie, Mrs. Laura.	10	1599
Relates murder of her husband in Columbus raid March 9, 1916; also description of attack, robbery of houses, and burning of same.	10	1599
Saved, with three daughters, by Juan Favela, half-breed Mexican; Yaqui Indian; four escaped from hotel.	10	1602

Ritchie, Mrs. Laura—Continued.

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Saw no officers, but saw soldiers, five dead ones; did not see Col. Slocum until 10 o'clock; one soldier burned up in fire of hotel; only found buttons, etc.; relates Favela saving them; tells about hotel ownership and insurance; company refused to pay.....	10	1603
Romney, Junius.....	17	2574
Ecclesiastical representative of Mormon colonies in Mexico.....	17	2574
Four thousand and thirty Mormons went to Mexico; had shoe, harness, and saddle factory, canning factory, stores, grist mills, saw mills, etc.; went there to reside permanently; exodus began (back to United States) July 28, 1912; there since 1885; do not practice polygamy, only as in United States.....	17	2575
Excellent school system; about 1,500 Mormons in El Paso now (1912). On charity; came out penniless; all interests in Mexico; witness advised them to come out.....	17	2576
Ten Mormon colonies in Mexico; average from 250 to 1,100 in each colony.....	17	2577
Head Mormon church orders strict neutrality.....	17	2578
Atrocities began, second revolution, Orozco and Madero; some receipts given.....	17	2579
Explains in detail as to treatment and outrages; relates conversation with Orozco on train; wanted the United States to furnish arms and ammunition to him; accused United States of killing them off in assisting Madero and to force the United States to get out and fight. Salazar demanded guns and ammunition.....	17	2581
Looted homes, ran people away, Chuichupa.....	17	2583
Same at Colonia Juarez; threatened Mormons.....	17	2585
Demands for money made.....	17	2586
Heard rumor that Standard Oil was backing Madero; knows of no Americans exempt from depredations.....	17	2587
Explains why they came out without a fight.....	17	2588
Requested by United States to remain neutral and not forget an order not to bring on complications.....	17	2589
Salazar, Inez.....	17	2590
Affidavit of Salazar showing he depredated on Americans by superior orders; details amounts and owners; signed Inez Salazar; jurat, notary public.....	17	2591
San Luis Potosi, plan of.....	17	2592
Sartwell, Edward R.....	7	2631
Furnished map, murder map of Mexico; explains map.....	7	845
Americans killed along border and in Mexico indicated by four symbols.....	7	845
First period, November 20, 1910, to April 24, 1914, represents period under control of Madero and Huerta; second period, April 24, 1914, to October 19, 1915, covers dissolution of Huerta Government to date Carranza was recognized by United States as de facto head; third period, October 19, 1915, to April 7, 1917, Carranza régime prior to United States entering war; fourth period, April 7, 1917, to September 30, 1919; Carranza régime while United States was in World War; first period, 41 months, 147 American civilians and 2 United States military force killed in Mexico; 18 civilians killed in United States by Mexicans; second period, 17 civilians and 21 members United States military killed in Mexico, and 13 civilians and 15 United States military killed in United States by Mexicans; third period, 83 civilians and 28 United States military killed in Mexico, and 19 civilians and 33 United States military killed in United States by Mexicans; fourth period, 58 American civilians, 8 United States military killed in Mexico, and 12 civilians and 16 United States military killed in the United States by Mexicans; first three periods, 383 were killed, Carranza régime, how map was made and by whom.....	7	846
Formation of map, various authentic sources.....	7	847
Appears itemized list of Americans killed, location, by whom killed, etc., showing an aggregate of 550; note authorities.....	7	848
Murder of Eugene Lack; 3 cases shown where murderers were given six months, then released; 18 American women and 10 children in list; 8 women outraged in list.....	7	864

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Whitfield killed, planned by German agents, suppressed by United States departments.	7	864
Great brutality, torture, and mutilation, American soldier burned, passport pinned to breast of Mr. Beard for target; foreigners murdered: Lansing to Senate: Chinese, 471; Spanish, 209; Arabs, 111; British, 38; Italian, 16; French, 14; Japanese, 10; miscellaneous, 58; total, 927; no Germans; letter from Lansing October 31, 1919; Americans in Mexico when Diaz retired, 31,707; September, 1919, 8,862.	7	865
Casualty lists do not include Americans killed on border and in Mexico between the dates of October 1, 1916, and February 14, 1917.	7	866
Schuls, J. G.	8	1065
From Mexico City; gives testimony on conditions in 1916: disarmed by Carrancistas and robbed; wife robbed on train; worse now than in past; Diaz O. K.; Madero no better than the rest.	8	1065
Schultz, W. A.	10	1494
Went to Mexico in 1907, organized the Comanche Land Co., 11,000 acres, in Tamaulipas; titles dated back to 1639; took in farm supplies under Diaz; no trouble until Madero revolution.	10	1495
Treated well by Huerta soldiers, bad by Carrancistas; left after Veracruz incident; made him cry "Viva Carranza and Gomez" at point of gun; robbed him; names men who made his wife cook for them.	10	1496
Relates killing of Sawyer; threatened Mrs. Sawyer; no one punished.	10	1498
Conversation with Nafarrate, clean out all Americans.	10	1498
Assisted American women out; spit on by Mexican, saw de la Rosa drilling soldiers on drill ground at Cuidad Victoria, Tamps., 1916, identified by Evariste Storms, an American also; drilling for attack on United States.	10	1499
All colonies under Diaz régime prosperous, just the reverse now; gives names of partners.	10	1500
Tells of Blalock colony; hid in mountains.	10	1501
Gen. Cesar de Lara, Carranza commander there, robbed them; mentions Hacienda El Conejo, robbed, and destroyed.	10	1502
Schrievner, Mrs. Julia A.	12	1906
Lives Tucson, husband killed by Mexicans who escaped to Mexico, no arrests made, killed at Homestake Production Co. mine, Arizona; owns half interest in mine but so near Mexican border no one will buy it; gold and silver; tells of murder of two Frasier boys by Mexicans, near Ruby, Ariz.; shot her husband in back, set fire to store, robbed them.	12	1908
Seggerson, Christopher.	10	1509
Son killed in Juarez by Villistas, driving in automobile when shot; first battle of Juarez; name Charles Christopher Seggerson.	10	1509
Sheahan, James D.	16	2395
Owner of 362,000 acres; paid \$350,000 gold, near Jiminez, Chihuahua; developed water for irrigation for one-third of property, Agua Fria River.	16	2395
In addition spent \$300,000 in improvements; had imported stock.	16	2396
Refutes John Lind as to Americans not being benefit to natives.	16	2397
Natives prepared to work for Americans.	16	2398
Conditions under Diaz good; natives honest.	16	2399
Trouble began 1913 after Madero; caused by Carrancistas; crops and stock taken.	16	2400
Villa and Carranza forces the same.	16	2401
Hacienda total wreck.	16	2402
Disagrees with Lind as to revolutionists of North having high ideals; gives true conditions.	16	2403
Six hundred head, 3-year old steers, stolen by Carrancistas and shipped to Fort Worth, Tex.; Russian Jew also robbed of 4,000 head of cattle.	16	2404
Appealed personally to Bryan without any result and who intimated we were robbing the Mexicans.	16	2406
On committee of twenty-one who waited on Bryan, who asked "why are you not honest in what you came for" and accused us of coming for intervention, which was untrue; gave no advice only to bring Americans and a Scotchman out of Mexico.	16	2407
Confirms statement Bryan, 1903, and present attitude; "just the reverse"; Mexicans on starvation.	16	2409
Schools on ranch discontinued after revolution.	16	2410

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Member of American Legion, made to take his button off in Mexico City; also another soldier same; made to move from Hotel Regis on account insults, and ignored at hotel.....	10	1662
Americans ordered to move from Hotel Regis to give room for foreign officers (Japs); Government and bandits cooperating; tells about murder of Bowles and robbery of paymasters at Tampico.....	10	1663
Bad treatment of Jenkins; Senator Fall criticised in Mexico; held up in getting berth out of Mexico.....	10	1663
Slattery, Michael J.....	13	1995
Miner, in 1901, to Mexico, came out April, 1914; Zacatecas, Jalisco, and Colima; his companies had invested about \$7,000,000; quotes invitation of Diaz to Americans to go to Mexico and invest; Diaz wonderful President.....	13	1996
Describes mining in Mexico; all large mines in Mexico due to American development.....	13	1997
All railroads and large enterprises due to Americans; Mexicans would not do it.....	13	1998
No special privileges; profits reinvested; raised wages from 6 cents to \$3 a day; shows operation commissary.....	13	1999
Good treatment of Mexicans by Americans.....	13	2001
Attitude of laborers good toward Americans under Diaz; not much faith in school system as generally written about.....	13	2001
Mexicans honest under Diaz toward Americans; different since.....	13	2001
Bandit means soldiers under all leaders; felt no insecurity up to revolution; change, 1910; from men closely connected with Madero was told that anti-American riots were inaugurated to show world outside of Mexico that Diaz was not capable of protection; Diaz defeated by propaganda.....	13	2002
Americans gave athletic show in Guadalajara, 1910; relates circumstance; medal; two months afterwards house stoned and disturbance; rioting two days and nights; Viva Madero que Mueran los Gringos; all factions robbed him.....	13	2003
Americans neutral; good class of Americans in Mexico, against Bryan strong.....	13	2004
Wrote letter in Commoner, 1903, quotes Bryan; quotes Democratic platform on Mexico; 400,000 dominates 16,000,000; best element driven out; August 27, 1913, Bryan ordered Americans out to keep United States out of trouble.....	13	2006
Mexicans wanted Huerta; Lind wanted to bribe Huerta; criticizes Wilson.....	13	2007
Describes loss of Americans in Mining; lost all he had.....	13	2008
Criticizes Mexican Government for attitude toward witness who testified before committee; could have remained in Mexico in peace by erecting a British flag.....	13	2009
Criticizes Bryan for attitude; Gov. Mier, under Huerta, told Americans to remain; he would protect even if they were not protected by the United States; United States consul begged us to get out to save our country trouble.....	13	2010
Blames the United States Government for Veracruz incident; elected Irish consul; received protection from Huerta; Americans lost all when they got out.....	13	2011
Talks of Tampico incident; governor advised to get out at Manzanillo; tells of flight with women and children.....	13	2013
Left \$7,000 with storekeeper to take care of his laborers; best friends ridiculed them for leaving; in mob at station when leaving country; rescued from mob by British consul; dug trenches; prepared for siege; Germans celebrating with Mexicans over sinking of Louisiana and other ships.....	13	2014
Tells of Newspaper articles over German success; young Ahumada, son of the governor, educated in the United States, Harvard, showed telegram from his father, a senator in Mexico City, sinking of Louisiana. "We are putting it all over you"; chest out; Germans would not fraternize with Americans; saw Germans in cantina celebrating with Mexicans.....	13	2015

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Mexicans would have nothing to do with United States consul; British consul had to get them out; Gov. Delgadillo, of Colima, issues orders for Americans to become Mexican citizens, get out, or be killed; quotes order.....	13	2016
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Quotes anonymous letter; shows Federico Gutierrez Zapata, Carranza officer, Nuevo Laredo, Mexico, promised Lieut. Rucker to intercept them; later lead plan of San Diego bunch into San Ignacio, Zapata County, Tex.; American soldiers killed in that battle; Carranza officials, Col. Cruz Ruiz and Col. Frias led the attack on American garrison at San Ignacio, Tex.	10	1202
Four Carranza soldiers given the death penalty at Laredo for San Ignacio raid; shows Zeferino Zambrano, treasurer general of Mexico, recruited men in plan of San Diego in Monterrey; Zambrano and a Carranza general brought these men to Monterrey, there others were recruited; full account; court reversed case; prisoners delivered to Col. Ferguson, United States Army, returned to Mexico; acclaimed heroes in Mexico; see <i>Arce v. State of Texas</i> .	10	1203
Not generally known in Texas; Mario Mendez, director general of telegraph, anti-American; Webb Station raid.	8	1204
Gives further account of San Ignacio raid; purpose to kill American soldiers; plan of San Diego read into record.	8	1205
Flag found at San Ignacio and Webb Station after raids; men participating in above raids were led by Carranza soldiers, Isabel de los Santos, Zeferino Zambrano, and others; Zambrano afterwards governor of Nuevo Leon.	8	1207
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Webb Station raiders captured, confessed that they had been under Gen. Torres in Mexico City; mentions <i>El Progreso</i> , published in Laredo, Tex., violent against President Wilson, etc.; citizens escorted Leo D. Walker and Emeterio Flores, editors, to river and threw them in and made them go to Mexico; complained to Arredondo, who made complaint to our Government; nothing done.	8	1209
Opinion that all raids were in furtherance of the plan of San Diego; refers to indictment of signers of the plan of San Diego in United States court, Brownsville, Tex., 13th of May, 1916; the Agustin S. Garza that signed the plan of San Diego was known in Mexico as Leon Caballo; heard that Fortunato Zuazua (Gen.) was engaged in raising money for the plan of San Diego.	8	1210
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Vann, W. E.	8	1296
Reference to raids on lower Rio Grande 1915-16.	8	1296
Conferred with Carranza officials reference to raids; Nafarrate promised to assist officers against raiders, but did not; two raiders killed in Carranza uniform; raiders told him military were with them; refers to confession of Chino Flores.	8	1297
Relates confession of Pedro Paz reference to bandits; hand bombs found at train wreck; rail loosened, pulled with wire.	8	1298
All extradition refused 10 or 11 but last two, Gov. Osuna, of Tamaulipas, granted for Pedro Paz and Antonio Rocha, two raiders.	8	1299
Relates killing of Antonio Rocha on Mexican side by Mexican officers as he was being delivered to witness.	8	1300
Relates killing of Toribio Rodríguez on Texas side by above two men, Paz and Rocha.	8	1301
Veater, Capt. S. H.	10	1478
1902 went to Colonia Chuichupa, Chihuahua; 200 people there; ranched there 13 years; revolutionists began to rob; gave up arms and ammunition.	10	1479
Colonists left, except 42; rioting; colonists successful in business, saw-mills, also improved machinery for farming, and dairying; names six colonies in Chihuahua: Colonia Juarez, 300; Colonia Pacheco, about 150; Colonia Diaz, 300 families; Dublin, 300; Colonia Garcia; Colonia Chuichupa; all in flourishing condition under Diaz.	10	1489
Bank at Colonia Diaz robbed; homes destroyed; used schoolhouse for stable; irrigation dams blown up; estimates in his colony loss \$500,000 alone; refugees broke, bad conditions; Government United States had to feed them.	10	1482
Much property turned over to Rojas through force; gave horses and mules away to Mexicans; made efforts through Gen. Calles but to no avail to recover stock; stock taken to Sonora.	8	1484
Gives account of murder of Johnnie Brooks; account of murder of Ben Griffith, soldier knocked out gold tooth with sword, put tooth in pocket; had row over it and threw it back in grave.	8	1486
Brought some cattle out, paid \$20 gold duties to Mexican official at Juarez.	8	1488
Gives account of assassination of Stevens, George Redd, Mr. Cain, John Cramer, John Henry, Hays.	8	1488
Appealed for protection to Huerta, Madero, and Carranza, but to no avail; home destroyed and burned, etc.; Abelino Rascon killed in Cumbre Tunnel affair.	8	1490
Made efforts to recapture cattle stolen through Col. del Arce and Maj. Tagle, of Juarez; gives account of trip; everything in colonies destroyed; homes burned, etc.	8	1492
Gives account of killing of his Jersey cows, milch cows, instead of beeves, no remuneration.	8	1492
Wadsworth, R. M.	10	1532
Gives account of killing of Sitters and Hulen and Jack Howard, and wounding of Harvis in Big Bend by the Chico Cano outfit; Chico Cano holds commissions under Villa and Carranza, either one in charge of the Ojinaga district; he acts.	10	1532
Walker, Norman	12	1821
Gives account of battle of Juarez on May 8, 9, and 10, 1911; 18 Americans killed and wounded in that fight in El Paso; for the last nine years El Paso people have been in nearly constant dread, and necessary for soldiers to be there to render protection; Americans killed and wounded in Agua Prieta and Naco, Ariz.	12	1821
Wallis, H. J.	8	1342
Was wounded in train wreck near Brownsville, 1915, time Dr. McCain was killed and others; details story.	8	1342
Ward, J. G.	8	1162
"Colonia" (American colony near Tampico), 15 families, relates hanging of one German-American and another German citizen, both robbed but American German hung up.	8	1162
Relates fight with Mexicans in which he killed several, defending his home and family (Carranza soldiers led by an officer).	8	1163
Robbed Negro man and ravished his wife.	8	1165

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Came to United States after family had been robbed, and his trouble with Carranza soldiers.....	8	1166
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General agent, Atascador Colony, 135,000 acres, near Tampico; describes colonists, farmers, had church and school, 305 families; good conditions under Diaz; colonists were men of small means, not capitalists; raids by revolutionists.....	8	1035
Murder of Weeder by Gen. Larraga, Carrancista; mentions killing of Mr. Byrd; Mr. Byrd's father later died from being hit over the head with guns by Carrancistas.....	8	1039
Ravishment of the Misses Gourd, of Iowa.....	8	1041
Only German remaining on Atascador Colony 1920; list of colonists on Atascador.....	8	1045
Quotes President on intervention; criticizes action United States taking people out of Mexico; Praises Huerta; afraid to return account bad conditions.....	8	1045
Watriss, Frederick N.	2	426
Attorney, New York; interested in Sonora and attorney for Association for the Protection of American Rights in Mexico.....	2	426
Explains oil producers' position, refers to publications, and quotes letter from Mr. Polk under date of December 31, 1918.....	2	472
Richardson Construction Co., of Sonora, Yaqui Valley; bought direct from owners; 750,000 acres; 500,000 acres irrigable; large irrigation plant....	2	429
Reads extract from communication to Department of State explaining extent of irrigation investment; 300 settlers on land when trouble broke out; explains title to lands and water; quotes extract from concession, agreeing to invest 1,000,000 pesos.....	2	430
Having trouble with the Government about taxation and sold some of the land, embargoed some, and advertised for sale; national Government decided they could not interfere with the State Government, and so notified the United States Government; quotes extract communication from bureau of waters, December 21, 1918, canceling concession under article 27; complete answer to six causes of forfeiture, quotes.....	2	432
Continues to read from document giving his company permission to suspend bond for concession, and quoted part of document sent to State Department, asking United States department to intervene to prevent Mexican Government from disregarding request.....	2	434
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Water regulations of "Compania Constructora Richardson," S. A., Sonora, Mexico, English translation.....	2	472
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Educational work, Texas; in Mexico off and on, 1900 to 1911; robbed by Maderistas at Parral; loss \$60,000; girls ordered shot; held knife to her throat; said they would cut off her fingers and toes; cut her foot with knife.....	8	1084
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Present battle at Naco, American lives endangered, 1913, five or six weeks; next battle of Naco lasted 80 or 90 days; a few casualties that time; continuous firing into United States American lives endangered; 71 casualties in this battle on United States side of the line; relates machine gun dropping bullets into Main Street, wounding girl in face from broken glass; made appeal to Mexicans, United States officers, and Gov. Hunt to stop it; got no relief, then went into their trenches and finally succeeded in getting gun turned another way; saw girl shot in neck in the streets; 52 shot in this battle.....	12	1878
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Member Philadelphia bar, president of Panuco Boston Oil Co.; company refused to recognize article 27; quotes telegram Sept. 6, 1911, from attorney, Mexico City; Mexico oil department sore over representations from United States State Department; pay roll, \$10,000, stolen; offers book showing all Carranza decrees filed with committee, but not shown in record; meeting called in New York for protecting American rights; declined to recognize article 27; Aug. 6, 1918; State Department made solemn protest to Mexico Aug. 12, 1918, modifying decree by Carranza, but laws not passed; Britain, France, Netherlands protested against confiscation; oil men during war would not accept any decree that would keep United States from getting oil.....	2	590
Properties of the Atlantica Compania Mexicana Productora y Refinadora de Petroleo, purchased from Mexican owners, have been denounced under article 27 and decrees of Carranza; filed Amparos; applications to drill on own property denied; shocked because news suppressed by our own Government from Mexico; Associated and other press refrained from publishing news on request of our Government; refused to publish comments on article 27.....	2	591
Panuco Boston Co. stopped by military and fined \$500; chronological statement in detail follows actions of his company and the oil men, continued on page 594; pamphlets issued by Mr. Frederick R. Kellogg, true, filed with committee, but not in record, marked "Williams Exhibit No. 2".....	2	595
Judge Beatty's comments, filed with the committee, but not in record, marked "Exhibit, Williams, No. 3"; Williams Exhibits Nos. 4 and 5 filed with the committee pamphlets, but not in record; letter to the editor of the New York Times, signed by Frank L. Polk, reference to Panuco Boston Co., in record, protesting to Mexico against confiscation; extract from letter signed by Ira Jewell Williams to Times, under date of July 3, 1919, reference to assurances of Aguilar, son-in-law of Carranza, who denied confiscation.....	2	596
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Relates murder of Leroy Moye near Tampico; quotes letter from British as to robbery.....	2	598
Relates robberies of pay rolls by order of Carranza, so reported there..	2	599
Quotes Mexican Review of Aug. 19, 1919; Weeks on oil matter.....	2	600
Explains Carranza's desire to get Americans to accept his idea; telegram from William Phillips, Acting Secretary of State, to witness, reference to unsafety of Americans near Tampico.....	2	602
Quotes extract from Amparo, translated to our point of view; Government may rob foreigners if they are recipient of the stolen property; extract accused of rebellion by not accepting article 27 and decrees, signed by division of petroleum No. 2277, Mexico, June 26, 1919; letter from Robert E. Speer to Mr. Chester O. Swain, 26 Broadway, reference to whether Association for the Protection of American Rights in Mexico was in favor of intervention, etc.; answered by Mr. Walker and witness, in record; criticizes Dr. Inman; other correspondence by witness on this subject.....	2	605
Letter from witness to Dr. Halsey on intervention and Inman.....	2	606
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Witness quotes extract from William Burgess that Constitution might have been written by Emma Goldman and Berkman.....	2	607
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Details loss of her husband as mentioned by Mrs. Bailey; lost child by death, caused by lack of attention.....	8	1032
Mentions murder of Catron; Carrancista officials in charge Aguascalientes time of disappearance husband; Gen. Urbina and one-legged Orozco; Benito Diaz, governor.....	8	1033
United States Consul Edwards refused to hear her story; told her he could do nothing for her, Juarez; Mrs. Willis, an invalid, caused by her mistreatment in Mexico; Red Cross sent her home.....	8	1034

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Conditions under Diaz ideal; most of the development done by Americans; had it not been for them Mexico would have remained in an uncivilized state; downfall of Diaz, 75,000 Americans there, official; Americans there away above the average; 2,000 railroad men, 5,000 farmers, 5,000 miners, 8,000 in other lines, many doctors, dentists, engineers, and all professions there in abundance; none of the lower type of Americans, as compared to our cities; false that Americans secured special favors by bribery and concessions; did not exploit the country or people.....	15	2250
Explains concessions; estimated that one billion two hundred thousand American capital in Mexico when Diaz left; all others combined about same amount; all nations; gives estimates on population of all nations in Mexico; population, American, in the city about 10,000; explains about railroads in Mexico.....	15	2252
Gives his idea as to fall of Diaz, "old men, inefficiency, and race demands," "Mexico for Mexicans"; 80 per cent ignorant; invitations of Diaz to Mexico.....	15	2254
Business in Mexico in hands of foreigners; gives beginning of and progress of Madero revolution to downfall of Diaz; Madero of unsound mind, visionary; made incendiary speeches, in jail, out in few hours; appealed for popular sympathy for Indians; endowed with personal honesty and excellent morals; Madero did not overthrow Diaz, he was overthrown by wave of anarchy and desertion of friends; Madero proceeded against Reyes candidacy just as Carranza is against Obregon to-day; much anti-Americanism later days of Diaz.....	15	2256
Diaz government very much pro-American.....	15	2256
Gives evidence of unsound mind of Madero, Ambassador Calero as instructed to misrepresent conditions in Mexico; many atrocities committed while Madero was in power; conditions went from bad to worse; Madero was more despotic than Diaz toward end of régime; general anarchy all over Mexico; not a dollar for public instruction, not an acre of land divided; no freedom of press, some suppressed; organization of "La Porra," by Gustavo Madero. Formed to discontinue anti-Maderism.....	15	2258
La Porra composed of hired assassins and cut-throats hired especially for their purpose; gives outline of revolution with Madero and Huerta in company with English, French, Spanish representatives; Blanquet by his actions upon arrival overthrew Madero; Huerta took advantage of the situation. Col. Burnside reported that the revolution could not be suppressed, therefore called the ambassadors together again; report to witness from Burnside in full, date Mexico City, June 5, 1913.....	15	2262
Diplomatic corps advised Madero unofficially best to turn the government over to congress; selected Spanish minister to deliver request or advice; upon his arrival met the senate who had been refused admittance, their advice was to have been the same; Spanish Minister, Mr. Cologan, secured an audience. Madero was insulting; Madero sent telegram to United States accusing witness of controlling diplomatic corps, and wanted to land troops at Veracruz; later withdrew it and apologized, next day supreme court went to Madero with same request; badly received; Col. Riverol and Col. Izquierdo went to Madero with four privates, same request; took pistol from his pocket, shot both colonels and two or three privates; escaped to corridor and captured by Gen. Blanquet; placed in prison; gives conditions of people at that time, children starving, etc., felt great responsibility; sent for Diaz, Huerta, and Blanquet..	15	2263
Three actual breaks, forced by persuasion and threat, finally agreed and made contract depositing it with witness; 50,000 Mexicans celebrated that night and gave thanks to the United States for bringing peace to Mexico; all ministers of strong nations thanked witness, and sent letters, in record.....	8	2264
Copy of resolution, mass meeting American colony, February 28, 1913; telegram to President United States, signed by American colony; case submitted by American colony reference to sending committee to Washington.....	8	2266

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Argument to Bryan by committee, the retention of witness as ambassador, April 2, 1913.	8	2268
Resolutions of thanks inserted in the record, from British subjects, Protestants, Catholics, Y. M. C. A.; not a dissenting voice; explains procedure under Mexican constitution as to seating president; urged Huerta to protect the lives of Madero and Suarez; relates the murder of Madero, in transfer from one prison to another; shot by officer in charge.	8	2271
Letter from Von Heintz, January 8, 1916, from China to witness, commendatory of his action in Mexico City; relates relations between Madero and Villa, latter in revolt against Madero at time of his death, but changed to protest against Huerta.	8	2274
Justifies action with Madero, who had not kept faith with United States; resolution brotherhood men, resolutions sent to President United States; another resolution by same parties asking that he be retained; remonstrated with Madero about throwing Americans wrongfully in jail; one case of friction.	8	2276
Quotes from book by Calero on murder of Madero; enumerates five questions that he wanted settled prior to recognition of Huerta.	8	2278
Enumerates them, successful in five of the six questions when Huerta was in power; goes into the latter part of the Taft administration.	15	2280
First portion of Wilson's administration critical.	15	2281
Diplomats met in Mexico City and sent telegrams to their Governments after they had recognized Huerta, and the United States had not, asking them to request the United States to either recognize Huerta or come down and make peace.	15	2282
Sent to Veracruz on July 4, by Wilson, to keep him from having to reply to Huerta's speech on that day in Mexico City.	15	2283
Contradicts William Bayard Hale about telegram he sent to Washington; Huerta protected Americans.	15	2282
Huerta was very pro-American and the greater part of the Mexican people were in favor of him; did not receive any backing or assistance from Wilson Government; explains; refutes Guy Inman's story as published in his book, page 134, in which he attempts to give facts on the Madero-Diaz-Huerta episode in Mexico City, 1913; "Ciudadela" calls Inman a liar in diplomatic language.	15	2284
Sworn statement as to witness's attitude in affair here inserted, signed by United States consular agents in Mexico City; untrue story sent out by Robert H. Murray; secured judgments, and apologies from many, including John Lind; made false report to ladies in Mexico City; witness ordered Murray out of embassy; goes fully into the mutilated records of all messages from and to the department, and discusses how Murray might have secured them; uncoded messages sent by Bryan; Bryan several times requested witness to invite Mexican Government (Huerta) to join United States in conferences and to recognize the new Republic of China, and to join the universal peace movement, all this while he was fighting Huerta.	15	2286
Mentions several private representatives sent to Mexico without his knowledge, which action discredited him.	15	2289
Protested to the United States, but no relief; reads letter into the record under date of July 1, 1913, directed to Wilson reference to William Bayard Hale; received no answer, did not expect any; called to Washington after Hale's report for consultation; asked to make report to President on Mexican situation. President had only read reports confidential at time of Madero overthrow; had not read any in two years; here he inserts in record his recommendations to Wilson.	15	2290
Later sent to Foreign Relations Committee.	15	2294
Agreeably received; later Wilson told Senators Bacon and Flood he did not care for any further exploitation of my views.	15	2294
President requested investigating committee not to hear anything further from me.	15	2294
Committee was Democratic at that time; quotes Calero's book, page 68, reference to Carranza; opinion on Carranza.	15	2294
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Relates his connection with Huerta and Carranza at that time; discusses John Lind; Tampico incident and United States policy; relates conditions of Mexico, cost of troops on border, schools and churches, desecration of same; Carranza downfall would be an admission of Wilson's Government's mistaken policy.	15	2296
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Reasons given for witness's resignation as ambassador.	15	2298
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Gives estimate on Americans in Mexico time he resigned, why they left Mexico, etc.	15	2303
Relates again conversation with President, who said "Huerta would not carry out his promises"; no notice given by Taft for Americans to get out of Mexico; condition of Mexico later days of Taft bad; why Carranza went against Huerta.	15	2304
Discusses Wilson's policies, including league; gives information on Sonora; quotes Calero again, page 77, Wilson's misconception on Mexico, in record.	15	2306
Again quotes Calero, pages 68 and 61, reference motives of revolution; compares his idea and that of Calero on this subject; Secretary Lansing's note, June, 1916; relates difference in Indians in Mexico.	15	2308
Quotes Bryan on Diaz Commoner, January 30, 1903; Huerta like Diaz.	15	2310
Memorandum of ambassador's interview with Huerta, May 7, 1913; usual courtesies lacking; slap at Wilson attitude.	15	2312
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Makes statement as to his knowledge of Mexico as an educator and missionary, 1884-1902, 14 years.	1	160
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He knows little about it; quotes extracts from law.	1	174
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Felix Diaz spent 30 days at his place; well treated.....	D	449
Arrest by Carrancistas, sentenced to be shot, 1917.....	D	479
Finally forced to leave for good in June, 1919; loss \$259,000, earnings of 47 years labor.....	D	470
Mr. ———	D	486
Employed in land and legal department; gives reason why he wants to testify in executive session; informed by attaché of foreign relations in Mexico City that any Mexican appearing before Fall committee would be considered as a traitor and that an American so appearing had better not return to Mexico; would be murdered if known; relates conditions in ———; passes freely from Carrancista to Pelaez lines, to and fro; gives location of different cuarteles, both factions; people generally for Pelaez; not considered as bandit; gives protection to all people; Carrancistas murder, rob, and commit depredations.....	11	2
Describes Santa Maria Indians. Chief very bloodthirsty and cruel; black Indian; joined the Carrancistas; Williams and American captive held 35 days; given two tortillas a day; fell in weight from 160 to less than 100 pounds; chief's name Higinio Malgosa; barbarous to prisoners; won't allow any Carrancistas in his district; Tepecintella, another small tribe of Indians, in same section about as Santa Marias; Huasteca Indians against Carranza, for all have had relatives murdered and property destroyed by them; ——— ships Pelaez ammunition through custom house at Tampico, in knowledge of customs officer, bought up, few at a time, from Carranza soldiers, etc.....	11	4
Describes Carrancista methods as to graft, robbery, etc.....	11	8
Describes Gen. Pablo Gonzalez and Gen. de Lara; gives account of Carranza soldiers shooting at Mr. Mikel, a British geologist.....	11	11
Describes manner of sending pay rolls to camps; danger, etc.; refused to allow airplane to be used.....	11	14
Details arrest of himself and two Americans by Carrancistas; insulted and detained several days; documents taken; mistreated; finally released.....	11	18
Details another arrest of witness and Parker by ———, a Carrancista; made him go ahead of column to Pelaez stronghold; loaned them two mules to ride to camp later and found mules had been stolen from his company; relates robbery of Aguila camp by Ortiz, who formerly was a sandal-footed butcher from town of Colima; details many robberies by Carrancistas; also blowing up of train by Cedillo brothers; lieutenant colonel in charge of train, ———, renegade American ex-soldier.....	11	21
Carranza pay rolls padded; soldiers allowed to rob instead of being paid salary; great many refugees from oil fields who have lost their homes and working for living; Americans taking up claims with their Government are at once blacklisted by Carranza; 10 Americans robbed.....	11	31
Robbers were Carrancistas masked; known by their dress.....	11	35
Robbery Walter Fitch; embezzlement of Gloria from New Laredo of \$30,000 from company; never punished; United States officials, Mexico City, feel humiliated by attitude of their Government; refuses Fletcher about conditions in Mexico; opinions of Americans in city he has stated untruths.....	11	39
	11	40

Mr. ———	Continued.	Part.	Page.
	Mentions murder of Correll and ravishment of his wife; discusses Fletcher's statements; 200,000 in arms robbing, murdering, etc., out of 14,000,000; intelligent class in Mexico favor intervention; Pelaez officer to give dance and champagne when he heard Americans were fighting Mexicans in north.....	11	43
	Details conditions, financial and otherwise, opinions, etc.; Bolshevism rampant in ———; working class publicly espouse cause; much propaganda there; all workmen have to belong to Bolshevik union; relates boatman took charge of company boat and charged for passage although being paid salary.....	11 9	46 614
Mr. ———	General business and looking after Mormon colonies in Mexico; gives general description of Mormon colonies; population, 4,000; Colonia Dublan, Juarez, Pacheco, Garcia, Chuichupa, Diaz, Morelos, and Oaxaca; prosperous under Diaz; manufacturing establishments, life, and customs of colonists; murders, atrocities, etc.....	9 D	614 693
Mr. ———	Went to Mexico with father, mother, and two brothers in 1908; established ranch at Atascador colony, State of San Luis Potosi, mother and sister compelled to leave in 1913.....	D	694
	Father arrested by Huerta colonel in 1913; held 43 days; beaten and taken to Mexico City in box car.....	D	695
	Held in prison there; O'Shaughnessy promised to obtain release; did nothing; finally released through Mexican captain who was friendly.....	D	703
	Only assistance received was order to get out of Mexico, which he obeyed.....	D	706
	Died in San Antonio, Tex., in December, 1919, as result of treatment.....	D	708
	Brother executed by Villistas under Col. Tomas Urbina because had no horses to give him on ranch.....	D	711
Mr. ———	Was for two years constructing quartermaster, United States Army; during 1918 and 1919 stationed at Nogales, Ariz.....	R	2
	Was wounded in battle of Nogales in August, 1918; described battle.....	R	3
	Mexicans had trenches and fortifications for over a year.....	R	8
	Present disorder in Mexico due to lack of respect by Mexicans of central government.....	R	10
	Central government was respected in time of Diaz.....	R	11
	Sees no reason why individual American merchant can not get along with individual Mexican merchant; cites experience of his own to illustrate that it can be done.....	R	13
	Does not consider that the business relations between Arizona and Sonora are relations with Mexico; that Sonora handles its own affairs.....	R H	22 2
Mr. ———	Went to Mexico in 1906, purchased ranch near Las Palmas in San Luis Potosi; took cattle, horses, and farming implements from States....	H	7
	First trouble in 1916 when commenced robbing place; compelled to hide in brush for days to save life.....	H	14
	July, 1919, son, ———, murdered by men under Carranza general, Manuel Larraga; lost everything.....	H	39
Mr. ———	Minister and professor, now in Mexico four years; Methodist; executive board had charge of or general direction of all the schools in Mexico; outline of work.....	4	1
	Increase of schools from 10 to 20 per cent; gives account what has been done; can not carry on work in certain districts account bad conditions, unsafe; to quite an extent, money for his work contributed by individuals and churches throughout country (United States); no financial aid from Mexican Government; attitude very kindly.....	4	2
	Only cooperate in certain districts.....	4	4
	Diaz method very ambitious but not carried out, account Catholic Church and lack of funds; purpose of Carranza in revolution to inaugurate extensive educational enterprises but not carried out.....	4	6
	Teachers of old Diaz regime, but not paid; impossible to carry out plans by Osuna, Saenz, and Barranco; plan in Inman's book very elaborate, page 165, but not carried out only limited extent; lacked finances and teachers.....	4	8

Mr. —Continued.

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Impossible to get teachers, some educated in United States, others in Europe under Diaz but insufficient in number.....	4	10
Generals had to be paid before teachers.....	4	12
Explains what happened to schools in Mexico City; Osuna brought down from north, wanted to put in system as in United States, others wanted the French system, much disagreement, bill in Congress to do away with "National Preparatory," lost, but was made impossible to carry it out; Osuna made governor of Tamaulipas, to get him out of the way; was not successful in that position; successor in school matters incompetent.....	4	14
Prof. Moises Saenz was in charge after Osuna, but resigned to go into evangelical board work at reduced salary; teachers are paid "I. O. U's." and per cent of salary. Many schools closed time of strike, have not been reopened.....	4	16
Carranza favored his friends in teachers; discriminated against old Diaz men who were let out; latter most competent; money received by government used to pay military authorities; income of government three times more than under Diaz; Carranza generals extravagant, fine homes, etc. All discouraged, must have firm hand. Told Inman he could not do anything for he was surrounded by bad people.....	4	20
Relates answer of Carranza to committee, "Good people did not assist him to get into power, bad people did, knows latter grafters and dishonest, but will stay with them to the end." This his general policy; Carranza has no great power; on account of closing of Mexican schools, American schools received more pupils.....	4	22
Refutes Inman on character of Americans in Mexico; prefers an honest business man in Mexico to four preachers; not possible to prosper in educational work unless assisted by material progress.....	4	26
Jefe Politico under Diaz changed under Madero to Jefe de Armas, same.....	4	29
Agrees with Inman that Mexicans rather work under Americans than Mexicans; says Inman's statement on page 175 his book "Authorities making headway under odds, etc., Americans who remained in Mexico have most hope for country under Carranza" "Absolutely untrue"; all Americans in Mexico can see no hope for Mexico under present régime. Mexicans also agree to financial intervention in Mexico necessary.....	4	32
If this intervention failed, armed intervention was inevitable; Banco Nacional looted, taken over as all banks were. French plan not feasible of loan by United States without strong government like Diaz had at time; favors armed intervention when all else fails; Department of State has not shown strong hand; an ultimatum should have been given before Carranza was recognized; a great many things should have been done that were not; criticizes administration; notes, instead of ultimatums that meant something, have been indulged in causing Mexican government to believe we do not intend to do anything; Mexicans have told witnesses we did not because we were afraid; military move all that can eradicate their ideas; stay out of Mexico if we are going to withdraw soon; training Mexicans so that they can withdraw from Mexico.....	4	36
Mr. —.....	12	2
Objection to publication of testimony, fears death at hands of Carrancistas, might be denied admission, reason; came out 1913; no serious disturbances north Mexico under Huerta.....	12	5
Objection to Huerta by United States caused some trouble.....	12	7
Carranza attack on Monterrey 1913 and 1914; Carrancistas destroyed much property Monterrey.....	12	8
Financial; Carranza paper money, metallic reserve.....	12	9
Ordered to leave Mexico, employees did not do so; cry of "wolf" not heeded.....	12	15
Great injustice to Americans in Mexico, charge that they were exploiters; favors sending Americans as pioneers.....	12	17
Americans had to submit to unlawful exactions.....	12	18
In addition to full payment on tobacco in stamps, had to pay "gratification;" nothing like this under Diaz or Huerta.....	12	19

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Constitution of 1917, little effect on his business.....	12	20
Shutting down of American enterprises detrimental to Mexican laborers; American operations bettered laborers and country.....	12	21
Carranza imported much tobacco free of duty, which put legitimate dealers out of the running; this done by concessions to favored few..	12	22
Concessionaires approached him to sell concession twice.....	12	23
Luis Cabrera head of treasury department at that time.....	12	24
Has \$275,000 invested there.....	12	25
Conditions in Mexico not improving.....	12	26
Favors this government going in there.....	12	27
Mr. ————	10	722
Relates death and circumstances of death of Pvt. Troib, Medical Corps, Company D, Nineteenth Infantry, United States Army, by Carranza lieutenant, Juan Azpeitia, of Juarez, December 28, 1918; full court proceedings, etc.....	10	722
Mr. ————	Q	10
Re killing of Americans, Rooney and Bowles; no one ever arrested; generally was done by Carranza soldiers.....	Q	3
Re killing of Dan Foley, American citizen by Mexican; no one arrested for crime.....	Q	4
Re anti-American sentiments of Gen. Pablo Gonzalez; re attack on Mr. Starkweather, American citizen, in public plaza of Tepetate by Gonzalez, who was in drunken rage.....	Q	5
Americans in Mexico have lost respect for their own government due to treatment they have received and no protection.....	Q	7
Mr. ————	10	604
Been all over Mexico; came out in 1915; father ran out of Mexico in 1916; was in cattle business in Durango; threatened to hang father, took wedding ring off finger, wanted to undress him, finally released him; he left country but returned to save his 850 head of cattle; robbed him of everything and killed his milk cows.....	10	604
Relates the murder of Charlie Chee, Chinaman, the arrest of two Englishmen, McClure and Henderson; his father robbed again; started to execute two Englishmen but released them and murdered Chee; all factions practically same.....	10	606
Relates murder of Edward Hayes at Madera by Santana Caraveo, also murder of a negro; another man killed at same time.....	10	610
Details robbery by Cheche Campos of Madera Co. store, sent loot away in cars.....	10	611
Certain degree of safety in large centers; danger of being murdered in rural districts; expects another revolution; no help for country from within.....	10	612
Mr. ————	2	1
Attorney, New York and Washington; landowner; property seized; manager and important employees killed; took matter up with State Department, finally Mr. Polk made representations to Mexico City, referred to Candido Aguilar, Governor of Veracruz, for adjustment; later was referred to Acuña, Minister of relations, who resigned and Aguilar took his place; nothing further heard from it....	2	2
Crops were sold to firm in which Aguilar was partner, later traced to New Orleans and attached; witness won and years later property returned to him; last inventory shows much property lost.....	2	4
While suit was pending several Carranza officials offered to appear as witnesses; favor witness, if large sums of money were paid them; full report of this matter filed with State Department, United States; refuses to give names of clients for fear they would be murdered....	2	6
Mr. ————	K	33
Conditions as to safety of life bad until battle of August, 1918, when American troops invaded Nogales, Sonora; since that time conditions are some better.....	K	36
Exports through Nogales for 1918 \$22,000,000; for 1919, \$18,000,000; leading export during 1918 was garbanzo, \$6,677,000.....	K	37
Of the \$12,000,000 majority was mineral from American-owned mines..	K	37
Re Gen. Calles forcing collector of customs, Nogales, Sonora, to deliver to him \$15,000 gold; refused to give him a receipt; collector afterwards came to the United States to keep from being executed for reporting matter.....	K	39

Mr. ———	Continued.	Part.	Page.
	Re stores in Nogales, Ariz., keeping open on Mexican holidays and those who did not being boycotted by Mexicans; Mexican customs guards refused to allow goods purchased in these stores to cross line. . .	K	45
	Re American citizen Frank Diamos, who operated a picture show in Nogales, Ariz., showing a picture that was not pleasing to the Mexican consul, who afterwards would not let Diamos or any of his relatives cross into Mexico and told Diamos if he did cross Gen. Calles would have him executed.	K	46
	Re Collins, an American citizen, who had a fight in Nogales, Ariz., with a relative of a German living in Nogales, Sonora, being arrested and held in jail in Nogales, Sonora, at instigation of Mexican consul who was friend of German; Collins finally deported from Mexico; matter never reported to State Department.	K	48
	Re kidnapping of Huerta et al. from Douglas, Ariz., and execution in Agua Prieta, Sonora, by Gen. Calles, 52 and 60; re conversation between Gen. Cabell and Mexican consul, Nogales, Ariz., relative to insulting letter written American consul re American soldiers crossing line; also re Huerta kidnapping.	K	59
	Obregon exported \$5,000,000 worth of garbanzo from Sonora in 1918; all went to Spain and Cuba; handled by W. R. Grace Co., of San Francisco, Calif.	K	71
	Obregon was given permission to import 5,000,000 pounds of lard, 200 car loads corn and flour during 1918; there was a surplus of rice in Sonora and when Americans tried to export same to relieve food situation in the United States, Gen. Calles said it would rot before he would allow a pound to go to the United States.	K	74
	No question that another revolution will take place before many months.	K	77
Mr.	Owner and operator chain motion-picture shows in Nogales, Naco, Douglas, and Bisbee, Ariz.	R	50
	On one occasion was showing picture entitled "Fighting Through"; picture showed American soldier forcing Mexican to salute American flag; Mexican vice consul in Nogales, Ariz., was present and created disturbance; stationed himself in front of theater and picketed place, advising Mexicans not to patronize theater; later refused to allow him to cross line into Mexico on account picture being shown.	R	51
Mr.	Re being ambushed by men in Carranza uniform, October 25, 1918. . .	G	2
	Matter reported to Carranza commander; nothing done, was not even interviewed by Carranza officials.	G	3
	Re ravishing of the Misses Gourd at Atascador colony during Huerta régime.	G	4
	Most of murders and robberies in Tampico district have taken place since time of Carrancistas.	G	6
	Re destruction of Atascador and other colonies by Carrancistas.	G	7
	During time Manuel Pelaez controlled Tepetate oil district no robberies or murders; Americans enjoyed peace until present Mexican Government took charge; Carrancistas would send escort with pay rolls of mining companies who would themselves steal pay roll. . . .	G	9
	Re election held in Tampico in January, 1920, where all political leaders opposing Carrancistas were placed in jail until after election. . . .	G	12
Mr.	Lived in Torreon, 1892 until 1916; safe under Diaz; had more protection while Villa was in charge than under Carranza.	E	14
	Was present in Torreon during massacre of 303 Chinese by Maderistas under Emilio Madero; massacre was investigated by De la Barra. . .	E	672
	Huerta troops under Munguia held town and looted banks, etc., November, 1913, to April, 1914.	E	672
	Villa had control from April, 1914, to September, 1915; forced loan of 3,000,000 pesos.	E	675
	Villa evacuated town in September, 1915; Carranza occupied until December, 1916, when again captured by Villa; good order under Villa.	E	677
	Ordered out by State Department April 23, 1914.	E	681
		E	682

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Re purchase of 250,000 acres of land for guayule, part of same being claimed by one Hernandez, relative of Madero; fighting in courts, finally being forced to settle with Ernesto Madero; loss estimated at \$1,000,000; claim on file known as Acatita claim.....	E	688
Mr. ———	P	178
Mining engineer; in Mexico 15 years; properties in State of ———	P	178
In June Federal troops burned one of mines; was arrested and started to San Blas.....	P	180
Entire party was captured by rebels; affiant escaped and made way to Tepic; with aid of German consul made way to American cruiser, where took refuge and was brought to United States.....	P	181
In June, 1918, Gen. Calles, while on way to Mexico City, burned and destroyed the other mine owned by affiant, taking away everything that could be moved; protests made to both Mexican and American State Departments; no relief.....	P	182
Had been repeatedly robbed prior to destruction of property; rebels would take all supplies they could carry, stack the rest in the street and burn it; these matters always reported with evidence to American State Department.....	P	183
All surface property now destroyed and mines flooded with water; has caretaker living on property.....	P	184
For some time one mine was in charge of rebels and the other in charge of Federals; mines 20 miles apart; forced to pay taxes to both sides..	P	188
Witness exhibits several photographs of his destroyed property, of Mexicans hanging to trees.....	P	189
Re holding of Whitford, an American citizen, prisoner by rebels, who would cut off a finger at a time and send it into Tepic to his company; after sending all his fingers he was finally murdered; witness exhibits photo of place where man was held.....	P	190
Mr. ———	9	482
Residence, Hachita, N. Mex.; went to work for the Land & Cattle Co. in 1909, D. R. McCormick, foreman; ranch in Mexico; was at Campbell's wells, 7 miles north of Corner Ranch just prior to Villa's raid on Columbus; was at Warren's Alamo Hueco, N. Mex.; in jog Sunday before, but at Campbell's wells first he heard of it; at Culberson's ranch a captain showed him a telegram from Slocum, stating that Villa was coming north on his way to Washington by way of Columbus; this was two or three days prior to raid; took mules over to Culberson's ranch, 16 miles from Alamo Hueco.....	9	483
Locates lines and places; goes into Mexico to find McKinney.....	9	485
Struck a trail at Biznaga Larga, about 1,000 horse tracks, going north; followed it 6 miles; 3 miles east of Corner ranch they turned southeast from Corner ranch; quit trail because saw fires west, seven big camp fires; stayed all night at Campbell's, saw them break camp next morning with spyglass; later turned out they were Carrancistas and not Villistas.....	9	488
Turned back when they found Villa's trail; describes Villa's route toward Columbus; went to Alamo Hueco and reported to United States officer what he had seen; then informed that Villa had raided Columbus and was coming to Hachita that night.....	9	497
Did not know that McCormick had been captured; captured Luz Ortiz, Simon Verdugo, who were in raid; delivered them to United States officers; later knew that McKinney, Corbet, and O'Neil had been captured and killed by Villistas.....	9	499
Andy Peterson, Akard, and Jenson killed near Corner ranch.....	9	505
Relates happenings of Silvestre Quevedo and about 18 men and at different ranches under his supervision.....	9	506
Relates poisoning of several horses by mistake.....	9	507
Continues statement leading up to and including murder of above-mentioned men.....	9	509
Quevedo strung Mexican up to make him tell where Fonville was...	9	516
Lem Spillsbury found the three bodies.....	9	517
Tom Kingsbury disappeared, supposed to be dead.....	9	518

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	Describes Villa's trail to Columbus; followed it after raid.....	9	519
	Carrancista depredations; Birchfield stuff taken by Jose Ines Salazar; took 251 horses.....	9	524
	McCornick held for ransom; he took the money one time, Stevenson thereafter.....	9	529
Mr. ———	Testified regarding holdup by Carrancistas and demand for \$30,000; was eyewitness to killing of Lee Moya at this time by Carranza soldiers.....	F	728
	Testified re shooting of John Fads by Carranza soldiers.....	F	732
Mr. ———	Manager ——— ranch, ——— district of ———, 17,000 cattle; now less than 1,000; arrested by Carranza Red Flaggers, held for ransom September 20, 1915.....	9	573
	Foreman taken also; Manuel Gutierrez, Carrancista, was in charge; paid \$10,000 for release.....	9	575
	Wife shocked; has never gotten over it; house looted; trouble, loot, robbery ever since.....	9	576
	Went after bodies at Carrizal with others; recovered bodies and brought them to El Paso.....	9	577
	Teeth knocked out; Mexican offers to sell them; gold crowned.....	9	578
	Col. Rivera, Carrancista, was in charge, after murders.....	9	581
	Heard of monument to be raised to Gomez, who was leading murderers at Carrizal; never knew honest or honorable Carrancista; no protection.....	9	582
	Not one punished by Carrancistas; one only by Villa, and later he was executed for his zeal in assisting us.....	9	583
	Gen. Ornelas, Villista, turned over Juarez to Carranza; later made Carranza official; later killed by Villa.....	9	584
	Depredated upon by Villa, details; battle, Villa Ahumada; row between Villa and Martin Lopez; Angeles peacemaker; 12 miles to Carranza garrison; did nothing.....	9	585
	Villa took property valued at \$30,324.75 when he went south.....	9	586
	No attempt to intercept Villa by Carrancistas; details route of Villa, Lopez, and Angeles; Carrancistas did not want to eliminate bandits.....	9	588
	Everybody against Villa and Carranza; want peace.....	9	590
	Losses \$996,442; no reimbursement.....	9	592
	Complaint to State Department referred to Gen. Espinosa, who did the robbery, and Murguia, who "cursed me out," saying, "Refer your complaints to me;" asked Gen. Gonzalez for protection; sent 50 soldiers, who "stole \$5,000 worth of property from us"; asked to say nothing about it; not paid; inspector general broke into store and took what he wanted; took cooking utensils; camped in patio; used house for closet.....	9	593
	After battle of ——— took everything and destroyed balance; favors intervention as the only way; Frank Knotts and Bruce Smith held for ransom by Villa; witness and foreman arrested by Lieut. Col. Nicolas Quiroga, Carrancista, for trying to release Americans; given much trouble; American consul, Chihuahua, James Stewart, did nothing; refused to see him after release; 100 families on ranch, all loyal.....	9	594
	Document from Martin Lopez, ordering that property be not removed by witness; suffer the consequences.....	9	596
Mr. ———	Went Mexico, 1917, in charge metals department ——— Oil Co., Tampico district.....	G	602
	Testified re robbery Cortes Oil Co.; several Mexicans were arrested by Carrancistas, but all released; murder of Ed House and Stevenson of Texas Oil Co.; matter reported, nothing done.....	G	18
	All Americans in Tampico district loyal; all in draft age came out and went to war.....	G	18
	Had to sign waiver holding Carranza government not responsible for any harm to self or family upon entering Mexico; conditions so bad had to get out.....	G	20
		G	22

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Mr. ———	S	2
Engaged in mercantile business at Colonia Morelos from 1906 to 1913; described flourishing condition of colony, how homes, schools, and churches were built, etc.; first trouble when colony was destroyed by Salazar; made trip with American consul to inspect colony after destruction; what few houses that had not been destroyed were occupied by Mexicans; consul made full report to State Department, sending photographs of destruction, etc.; Mexicans stated they were occupying property under authority of Gen. Calles, who had given it to them.	S	2
Colony consists of 122,000 acres of land under valid titles; is at present time still occupied by Mexicans.	S	8
Battle of Agua Prieta; Americans killed.	S	9
Predicted another revolution in few months, based on knowledge of conditions and what Mexicans have told him.	S	11
Believes that presence of Gen. Dieguez, Carranza commander sent to Sonora, will cause revolt of Sonora from balance of Mexico.	S	13
Believes that only solution is intervention, although from interest personally would not like to see it.	S	16
Can not see solution of anti-American situation in Mexico due to fact that young generation now growing up in Mexico are having hatred of Americans taught them.	S	17
Mr. ———	9	563
Now candidate for governor of ———, was ordered by Carranza June, 1919, to organize "Defensas Sociales" in Chihuahua; he made speeches saying he was going to divide up all Gringo property, etc.; asked for 100 horses; refused; he confiscated 49, all they had; June, 1919, robbed again of cattle; kicked; Murguia demanded apology; permission was given to feed hungry people; witness purchased 1,000 hectoliters of corn, sent to governor for distribution; every grain was sold and not one grain reached the starving people; Mexicans on ranch absolutely loyal; hundreds killed defending property, taking care of the widows and orphans.	9	564
Mexicans caught stealing cattle, 1920, arrested by his men; jailed; confessed; later released, and bill, \$48, sent him with word that if in future he sent thieves to jail to send money for their board; this shows attitude of Carrancistas; no hope for relief or reform.	9	566
Not sufficient horses left on ranch to run it; took all imported stallions and improved stock.	9	567
Attitude of Mexicans along Pershing route very friendly; begged Pershing to stay and give protection; 1 per cent of people in favor of revolution, balance against it; 25,000 inhabitants in districts named, 99 per cent against Carranza; Gen. ——— not a Carrancista, but an anarchist, popular because he promises to divide the property to Mexicans; large properties.	9	568
Conditions flourishing prior to Madero revolution; thieves always punished under Diaz, but very little violations; never knew of a holdup; safer there than in United States; not punished now; Government stands in with that class and assists them; had thorough acquaintance with all through that district.	9	570
Went there 1903; 65,000 head of cattle; taken prisoner by Orozco in 1910.	9	532
Relates capture, treatment; wanted ransom; saved by Orozco, sr.	9	533
Assisted wounded soldiers; finally released; Madero apologized.	9	534
Orozquistas, 250, had battle with witness; Rojas made the attack.	9	535
Gives description of battle and losses.	9	536
Killed several Mexicans; escaped to main ranch.	9	537
Had several fights with Mexicans; threw bombs in house.	9	539
Ran Castillo across river, where he was captured; same that burned train in Cumbre Tunnel; deported to Cuba by United States; Villa published a demand for him.	9	543
Always received protection and assistance and good treatment from Huerta.	9	544
Villa notified him that he could not maintain armed forces in Mexico; that started the trouble with Villa.	9	545

Mr. ———Continued.

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Villa's army maintained from his ranch after battle of Celaya; robbed many times.....	9	546
Execution of Mr. ———, bookkeeper.....	9	547
Gen. Manuel Medina Veitia then joined Carranza forces and is now an officer; Castillo issues offer to Carranza offering services to expel Yankees from Veracruz.....	9	550
Quevedo, Carranza official, is a general.....	9	553
Daughter of foreman. ———, taken by Martin Lopez and violated; kept 10 days; later took 200 girls from Namiquipa and kept them with army; many died; many not over 10 years old; later abandoned in mountains and many died from abuse or starvation; American killed at Nahuera chic, Chihuahua, by Gen. Julio Acosta forces; robbed ranch; later battle with Gen. Pedro Favela of Carranza forces, who whipped him and recaptured all loot, which he kept for his own use. "Botin de Guerra".....	9	555
Appealed to Gen. Murguia; did no good; Favela killed hundreds of cattle, sold hides, gave meat away, shipped hides; very offensive; protested about killing cattle; put messenger in jail, kept him in jail 27 days, threatened to execute him for protecting American interests; cost \$1,000 to save his life; Gen. Corona also depredated same as Gen. Avila.....	9	556
Home guards named by Favela and Corona, worst men in country; they continued to depredate under authority; Villistas took 280 head big steers; Carranza gave him amnesty and appointed him to a command and in return he turned over the beeves for 10 pesos a head; Carrancistas refused to give them back; later sent soldiers and took them back and they were slaughtered in Chihuahua; worth \$80 or \$90 a head.....	9	558
Williams robbed of cattle by Carrancista general, Herrera; paid him \$10 a head to get them back; later sent soldiers and took them back and slaughtered them in Chihuahua; Gen. Quevedo killed milk cows on ranch; vindictiveness; treated Mexicans as bad as Americans because they were "our friends"; several pages of robberies by all factions.....	9	559
Mr. ———	7	1
Mining engineer; professionally in Mexico, 1906 to 1916; in Jalisco, Aguascalientes, Michoacan, Sonora, and Chihuahua; no trouble in time of Diaz, much trouble after revolution started; had peace in Sonora when Villa was there.....	7	2
Generally understood that United States was backing Villa until Carranza was recognized; break with Villa caused raids on Americans by Villa when United States allowed Carranza soldiers to cross the United States soil.....	7	4
Arrangements made for American miners to enter Mexico at El Paso at the Obregon dinner, January 9, 1916; United States in favor of Americans returning to Mexico; Mexican general at Juarez notified Americans that passports were not necessary to enter Chihuahua; previous to this passports to enter for entire party had been secured, 20 going to ———, one to Chihuahua.....	7	6
About 40 Americans were in party going to Mexico; on same train Gen. Trevino told Dr. Watson that 1,000 troops had been sent ahead for protection; not allowed to carry arms; felt secure; salesman told him later in El Paso that he had received advice from a Carranza officer that it was not safe to make the trip.....	7	8
Nineteen Americans were in party for ———.....	7	12
Five miles beyond Santa Isabel had trouble.....	7	13
Relates details of massacre.....	7	15
Antonio Lopez was in charge; does not think Villa was responsible for it; ex-colonel told him Villa was not there; no Mexican on train was killed; sure massacre was prearranged, for reason that when the Mexicans took Americans from train one remarked: "We are one short," indicating they had a complete knowledge of how many secured passports; the 1,000 soldiers were not seen along the line.....	7	17
Doubts statements made by Trevino; two Mexicans at Isabel rode up and asked if any soldiers were on board and to size up train.....	7	21

	Part.	Page.
Mr. ———	8	816
Lives Mesilla Park, N. Mex.; property in Chihuahua; doing business there since 1880; at breaking out of Madero revolution had 40,000 head of cattle on ranch; none on ranch now; brought eighteen or twenty thousand to the United States; under Diaz good; then nearest Federal garrison was Chihuahua, 210 miles; no protection since; no notable difference between Carrancistas and Villistas; amount of loss filed with committee about \$700,000; lost control of ranch and used it.....	8	818
Silvestre Quevedo killed Chinaman; Villa sent Lopez ahead; lined up ——— people; accused them of being traitors because they were loyal to witness; Villa arrived next forenoon; hung men up by wrists to bells; whipped them with a sword to make them tell where arms and ammunition were hidden; got no information; lined up five and killed them; sixth man was given letter to Col. Saenz at Casas Grandes, that he, Villa, would be there by next forenoon and wanted to see him; widows and orphans of these men are pensioned by company and are in New Mexico.....	8	820
Had two large farms; people happy and contented; good wages; 100 families then; now only five; received no protection from Carranza Government.....	8	823
Carranza officer by name Cisneros shipped carloads of stuff from this ranch to Durango; Carrancistas committed vandalism; gave lists of members of company and residence of each; deriving no revenue; paying \$6,000 per annum; 600,000 acres in ranch; State Department kept fully advised; horse stock improved; some costing four or five thousand dollars a head; ranch stocked with all red Durham cattle..	8	824
Mr. ———	N	1
Correspondent Chicago Tribune; went to Mexico December, 1919; introduced copy of report made by ———, giving list of all outrages against companies during the years 1918 and 1919 (insert 1); also written report made by Mr. ——— relative to outrages committed on American colony at Atascador (insert 2); personally visited Atascador colony and found same deserted, confirming report made by ———.....	N	3
Re attempt to murder man named McDonald near Tampico, in December, 1919; McDonald stated that the Mexicans tried to murder him because his brother had made a statement to an investigator for the State Department and the Mexicans had found it out; the local magistrate in the district in which McDonald lived showed him a verbatim copy of the report made by the State Department investigator not later than 30 days after his brother had made his statement; the report had evidently passed through official channels back to the Mexican Government, although his brother had been promised that he would be protected in every way.....	N	5
Large companies operating in Mexico able to pay for protection; small man not able to operate because can not afford to pay.....	N	7
Statement of ———, ranch in Chihuahua and Sonora, that in 1910 had 100,000 head cattle and in 1920 less than 12,000, due to depredation of bandits and present Mexican Government.....	N	7
Mr. ———	L	24
Read into record list of killed and wounded on American side of line in Nogales district during past three years.....	L	27
Re killing of Frazier brothers on American side of line in Nogales district by bandits; to trailing bandits to line where American troops were compelled to stop.....	L	40
Gen. Jesus Ferrera, chief of staff of Gen. Dieguez, is very anti-American.....	L	43
Re smuggling of ammunition by Mexican consul at Nogales, Ariz., also by paymasters of Mexican army.....	L	47
Re fight between Yaqui Indians and Carrancistas during February, 1920; re fact that Yaqui is good worker and all right if let alone; unable to trace any murder of American to Yaquis.....	L	51
Re objection to American flags being displayed in Nogales, Sonora, prior to activities of Senate committee.....	S	21
Since appearance of committee on border, Mexicans in ——— have assumed a more friendly attitude for policy sake.....	S	23

	Part.	Page.
Mrs. ———	N	9
Exhibited to the committee Mexican bonds of the State of Chihuahua, City of Parral, City of Veracruz and Cordoba. Interest had been paid prior to 1910. No interest paid since that time.		
Mr. ———	K	2
Does business principally in Mexico. States of Nayarit and Sinaloa.	K	2
Principal crops sugar and garbanzo; most of garbanzo crop handled by Obregon during 1918-19; money handled through Nogales banks.	K	5
Knows of Cananea riots in 1906 when Dieguez, now Carranza general, was leader of Reds.	K	6
Knew of lot of murders being committed near Guaymas by Yaquis in past few months.	K	8
Believes Carranza government will be able to restore peace and prosperity to Mexico.	K	19
Believes that present peaceful condition in State of ——— due to order being maintained by state troops.	K	19
Judges Carranza government by his relations with ——— State government; admits has had no dealing with Federal Government.	K	24
Does not allow any goods he sells in Mexico to cross line until money is paid.	K	28
No money hardly in circulation in Sinaloa and Nayarit except American money.	K	31
Mr. ———	5	2512
Travels over States, Laredo to Mexico City, Veracruz, Oaxaca, Tamaulipas, Guanajuato, Jalisco, Mexico, Michoacan, Aguas Calientes, Zacatecas, Durango, and Chihuahua; acquainted with Mexico 22 years; only prosperous place he saw was Tampico; opening of silver mines in Guanajuato by foreign capital improved a little, gave employment to 6,000 natives; former population of Guanajuato 75,000, down to 5,000 in 1916-17, now gone back to 40,000; everything shut down in Torreon; good cotton crop; Durango in very bad shape.	5	2512
American sawmill only plant in operation; Zacatecas had population 1910, 35,000, now only 9,000; stores all closed; many residences vacant; no traffic on streets; all mines shut down but one; Chihuahua in poor shape; mines and smelter not running to full capacity; dangerous away from railroad.	5	2515
Gives causes of smelters being shut down, lack of necessities, lack of transportation facilities and materials; people living on prickly pear; refutes statement of Inman, page 177 his book, as to population of San Luis Potosi; conditions there very bad; people living on tunas, prickly pear.	5	2517
Refutes statement of Douglas as reported by Weeks in November, 1919, that people were prosperous; crops good, etc., between Laredo and Mexico City; houses in San Luis unfinished; people without work, hungry; not contented; opinions of Mexicans that all factions were in it for what they could make, had no thought for betterment of their people; lives and property unsafe 20 miles from any railroad; speaks of definition of bandits, several captured but country not bettered; refutes Douglas again; in Oaxaca less than 10 per cent of people of country controlled by Carranza; Government can make no impression on that section.	5	2522
Veracruz similar to Oaxaca; disturbances, robbing of plantations, running managers away, etc.; in Puerto Mexico Castulo Perez raided the Waters Pierce Oil warehouse, destroyed 50 or 60 thousand pesos worth of oil; attacked Minatitlan, captured 40 pesos goods; no cattle there, stolen and shipped from country.	5	2524
Cattle shipped by Candido Aguilar 1914-15; conditions Jalisco average, considering conditions; American robbed there of several hundred cattle; his name is ———; along coast cattle taken by combination of Carranza officers under pretence of threatened revolution in that section; Manuel Dieguez and Juan Jose Montes leaders, three-eighths to each, balance to men who took them; Jesus Cintora with 6,000 men in Guerrero levies tribute on haciendas; he is anti-Carranza; levied tribute 50,000 on a sugar company; gets arms and ammunition by whipping Carrancistas; properties intervened by Carranza because they were old Diaz adherents.	5	2527

Mr. ———Continued.

Part. Page.

Properties turned over to his favored friends; robbed them of everything they had; was with rebel leader Meixueiro, who controls Oaxaca, Villa Alta, and Choapan; has 5,000 well armed men; treats people fairly well; people very anti-Carranza; will not take his money; his issue gold refused, American money only in circulation in Tampico.....	5	2532
Was with Felix Diaz; has very small force in Veracruz, poorly armed and scattered; half the ammunition used by rebels in Mexico Mexican manufacture, other half American, very little European ammunition there; larger part bought or captured from Carrancistas; rebels can not take offensive for lack of ammunition; gives condition of arms in hands of rebels; Americans liked there but Washington Government very unpopular on account of recognition of Carranza and not allowing them to get arms and ammunition.....	5	2535
Rebel leaders criticized treatment of Blanquet and Angeles by our Government, giving passports, etc.....	5	2539
Saw Carranza officers loot many business houses and residences when Carranza took Mexico City.....	5	2541
Lucio Blanco stole 170 horses; police tried to prevent looting; 30 to 150 killed, then disbanded.....	5	2543
Obreгон arrived Mexico City August 19, Carranza later.....	5	2544
No change in looting and robbing houses; many men shot for minor offenses, bodies laid out on street; one officer, lieutenant colonel, shot for being drunk in Colon restaurant; no generals shot for looting or bothered; Carranza officers took fine horses from neighboring plantation.....	5	2545
Details destruction in Durango; churches torn down by Gov. Gavira; many dead in ruins dug up, carted to fields; influenza took from 10 per cent in Durango to 40 per cent San Pedro de las Colonias, Coahuila; malnutrition cause.....	5	2548
When Villa took Torreón cut off ears of enlisted men and testicles and penises with butcher knife; reported by officer who was under doctor's care one year; details raping of girls in most brutal manner by rebels and Carranza staff officer, Gen. Merigo.....	5	2550
Gives account of "gray automobile" affair.....	5	2553
Gives account of how Gen. Pablo Gonzales secured several haciendas in Morelos through his agent, Canedo; sugar deals also; 17 haciendas taken in this way; machinery disposed of, etc.; parts sold to copper-smiths in Mexico City.....	5	2555
Obreгон and his garbanzo deals; gives details of Jack Johnson-Sanborn incident; Juan Barragan and Merigo forced them to serve Johnson..	5	2556
Killing of McManus, Mexico City; killed by Barona, a Zapatista.....	5	2558
Had conference with Bryan reference killing of McManus, insulted; Government was supposed to protect Americans, but they should so comport themselves they did not require protection; Villa paid indemnity to Mrs. McManus, \$20,000 gold; only indemnity paid in history of revolution.....	5	2559
Indemnity paid by Madero in 1911 for four Germans killed in Covadonga, \$100,000 silver; Von Heintz threatened Madero that Bremen would seize Veracruz if not paid; only two more Germans killed after this incident, one "Thadun" in Colima and a storekeeper in Durango; Germans treated well in all revolutions; Mexican admire Germans for their fighting qualities and because they did not believe the great war was fought for betterment of smaller nations; again goes into condition of railroads and guards; stations destroyed.....	5	2561
Blockhouses, railroad repairs temporary; only 25 per cent of Mexico under control of Carranza; very little security in any part of Mexico.	5	2564
One hundred and sixty schools closed for lack of funds out of 360 in city, leaving 116,000 children without instruction; teachers charged on collection of their 75 per cent salary.....	5	2566
Opinion on rehabilitation of Mexico; no man from inside can put Mexico on her feet; must have outside assistance; quotes Mexico history for 100 years; no help for them from inside; condition Mexico to-day normal.....	5	2569
Favors plan as with Cuba.....	5	2572
Discusses agrarian problem, lengthy; relates Red Cross story in Oaxaca; Wilson refused to have anything to do with them, although they had the money for supplies and expenses.....	5	2577

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Mr. _____	O	85
Testified relative to immoral conditions at Tia Juana, Baja Calif., Mexico, and requested that the committee do something looking to the regulation of the passport law in order that the deplorable condition might be bettered	O	86
Mr. _____	D	549
Lived in Mexico since 1897, State of Veracruz; speaks Spanish fluently; re conversation in room in Hotel Francis at Zacatecas latter part of 1915 between Gen. Francisco Murguia and Gen. Benjamin Hill of Carranza army; doctor was in adjoining room and could hear plainly; Murguia and Hill were discussing invasion of United States with assistance of Japanese and American Negroes, etc.....	D	550
Re Gen. Palacios, Carranza commander at Tezuatlan, who was the doctor's former coachman; now very wealthy	D	552
Re Gen. Macara, Carranza general now in Michoacan, is illiterate son of de la Torre; was pimp and was serving term for murder when released by some faction; now wealthy	D	554
Re Carranza elections in Tezuatlan wherein box was declared unanimous for Carranza in 1916, although doctor had helped 69 Mexicans fill out ballots against Carranza; Mexican colonel was elected senator and celebrated by shooting several people.	D	557
Was arrested in April, 1914, day after landing of Americans in Veracruz by Col. Hernandez of Huerta army; was told that Mexican troops had captured all border points; had captured San Antonio, Tex., 10 o'clock that morning and would march on Washington next day; was sentenced to be publicly executed in plaza at _____ at 1.30 that evening; execution not carried out but was forced to walk out of country.	D	562
Mr. _____	L	16
Lived in Cochise County, Ariz. 25 years; was interested in _____ cattle company across the line in Sonora, Mexico; compelled to cease operations at great loss on account revolutionists helping themselves to cattle and horses.	L	18
Testified relative to different attacks on Naco, Sonora, Mexico, and killing of American citizens on Arizona side of line; became so bad that could not get juries to hold inquests over bodies of persons accidentally killed in Naco, Ariz.; military did nothing to stop shooting; approximately 50 persons killed and wounded.	L	19
Mr. _____	10	685
Cattle and real estate; refers to report of former committee, conditions chaotic then; names companies he represents; list of their properties.	10	686
Conditions under Diaz good; reverse now; paid ransom for McCormick, \$5,000, held by Lincho Miranda; \$5,000 for "Bunk," a Negro, and E. R. Spencer, same to Salazar; later paid again for "Bunk" to Miranda, Bunk Spencer; paid \$5,000 ransom for Englishman, _____ ranch, resulted finally in his death; \$5,000 ransom for W. N. Fink, paid to Marcelo Caraveo; \$5,000 ransom for Ledwidge; \$5,000 paid by William Benton for his foreman, Solis; knows ransom paid for Stevenson, Smith, and Knotts.	10	688
Conditions west coast bad; protection from Carrancistas asked for soldiers two weeks ago, none sent.	10	692
Knows and has known all factions, none give protection, no chance for better conditions; no honorable Mexican in power since Diaz; in that time there were perfect conditions and protection; none worthy of confidence, but Villa as good as any.	10	694
Present at Obregon banquet in El Paso, Tex., just prior to Santa Isabel massacre. Gave absolute promises of protection and invited miners and Americans to return to his northern jurisdiction; gives names of men massacred at Santa Isabel by Lopez, Villista; _____ headed party that brought bodies to El Paso; gives details as to massacre and how and when it was reported to him.	10	697
Chairman reads statement of massacre as before prior Senate committee.	10	704
List of names, statement of _____	10	706

Mr. ———Continued.	Part.	Page.
Statement of Jose Maria Sanchez.....	10	708
Report of Dr. Felix P. Miller.....	10	709
Lansing note to Carranza, January 12 through Silliman, Arredondo's reply.....	10	717
Quotes Carranza guarantee upon recognition.....	10	718
Statement of conductor of train, extra No. 41, out of Chihuahua, 11.50 a. m., January 10, 1916, about massacre.....	10	719
Witness confirms to all statements of witnesses and report as just read into record reference to this massacre.....	10	721
Mr. ———	R	24
Been on border 23 years.....	R	24
Was present and eyewitness to first shot fired in Nogales fight of August, 1918; Mexican customs officer started fight; gives detailed account.....	R	26
Re picture show put on in Nogales. Sonora, describing Nogales fight, wherein Mexicans were shown butchering American soldiers, etc....	R	30
Never heard of Americans invading Mexico committing thefts.....	R	32
Never heard of Mexican officers delivering to American authorities anyone who was wanted in this country for outrages.....	R	33
Was arrested in ———, ———, for having arrested a Mexican on the American side of the line; release obtained by personal courage of Vice Consul ———.....	R	34
How Mr. Venado, an American, was robbed of 3,000 head of cattle by Mexican officials in 1917.....	R	36
Thinks majority of Mexicans who are American citizens and who live on American side loyal to United States.....	R	43
American merchants in ——— secure favors from Mexican officials by bribery.....	R	44
American merchants in ——— placed themselves in contempt of all good Americans by closing stores on Mexican holidays and remain- ing open on American holidays.....	R	45
Re American consul appearing during Nogales fight and waving white flag; his official position prevented loyal Americans from killing him for cowardice.....	R	46
Re murder of Al. P. Hennessay by Mexicans in State of Sonora.....	R	47
Murders of Americans in Sonora attributed to Yaqui Indians were in reality committed by Mexicans.....	R	48
Mr. ———	3	1
Exporter into Mexico, dynamite, implements, etc.; runs own trains in Mexico; American Metals Co. and the American Smelting & Refin- ing Co. also run trains.....	3	2
75 to 85 per cent of all freight handled by the national lines of Mexico is handled by privately owned trains.....	3	4
All pay regular tariff rates to Government; no trackage fees; expenses of guards paid by American companies; no reduction for this; ma- jority of trains only run at night, account danger from rebels.....	3	5
Roadbeds going from bad to worse; bridges temporary, many destroyed, built up on ties; ties in roadbed in bad shape; engine repairs made in Mexican shops plus 15 per cent, very expensive.....	3	7
Gives instance of bad condition of engines; revenue turned over to Government.....	3	9
Pescador, railroad director, resigned on account graft; graft in securing cars for freight explained.....	3	11
Explains how and to whom they deliver freight to companies.....	3	13
Two Americans in Mexico City bought a lot of farming implements; few days later robbed of everything and held for ransom; not in bandit country, but within 10 miles of the city.....	3	15
Only small enterprises owned by Mexicans, large ones by foreigners..	3	17
Discusses American business, American railroad men and Mexican railroad men; difference, Mexicans run trains for personal gain, no thought of public welfare.....	3	19
Mexican newspapers state not a Mexican store on calle de Francisco I. Madero. All wealthy institutions owned by foreigners; Mexican stores in side streets; was in Mexico City when lights went out, kept in house about that time.....	3	21

	Part	Page
Mr. ———	M	2
Owned large ranch across line in ———, Mexico; during time May-torena and others were fighting on his ranch helped themselves to cattle and horses, etc.; finally bribed one faction for \$6,000 gold to stay away for three days till could run what cattle were left across to American side; appealed to Washington, but received no response..	M	5
Taxes in Sonora increased 40 times what they were before the revolution.	M	10
Mr. ———	L	2
Testified relative to different attacks on Naco, Sonora, Mex., and shooting of Americans on American side of line; was himself wounded has been cripple since that time.	L	2
Mr. ———	14	2
Went to Mexico 1881, railroad man; American railroad men ran out of Mexico; roads went down immediately; Mexicans not able to keep them up.	14	4
Conditions good under Diaz; began to be bad when Madero started; very little banditry; put down by Diaz.	14	5
When Madero fell, people were pleased with Huerta; Huerta congress would not back him to put down revolution; he put them out.	14	7
Trouble with Carrancistas and Villistas in Panuco; mules lost, not paid for.	14	8
Every one robbed, commanding officer, Gen. Larraga, Carrancista, sold to Spaniards near San Luis Potosi.	14	9
Carrancistas business to rob, etc.; ——— also lost mules; we had to stop work.	14	10
Ropes put around him and another American; gives account of experiences.	14	12
Gives description and impression of Pelaez, good.	14	14
Little security any where in oil fields.	14	16
Relates bad conditions, robberies, etc.	14	17
Relates killing of Bowles and Rooney.	14	24
Robberies and murders not committed in Pelaez territory.	14	25
Relates resistance of Americans to robbery, killed.	14	26
Pelaez secured ammunition from Carrancistas.	14	27
Gives account of trip out of Mexico, February, 1920.	14	28
Discusses attitude of Government toward oil companies, drilling, etc.; Buckley can not return to Mexico.	14	31
Rather testimony would not be published; wants to return there; Mexican official Maderista said United States needed a President like Roosevelt. Roosevelt would tell us where to head in and we would do it.	14	38
Liberty to Mexicans means license to rob, murder, etc.	14	39
Mr. ———	1	1
Carranza officers responsible for robbery of pay rolls, etc.; Lieut. Col. Carraiges and two captains head of robbers; five peons employed, second time to kill paymaster.	1	2
Company robbed 25,000; Carranza officer shot.	1	3
Company fed Carrancistas, did not feed Pelaez soldiers; five British citizens murdered, June 6, 1915.	1	4
Safe robbed; commissary taken.	1	5
Prior to arrangements, Pelaez robbed them, Gen. Chao and 300 men.	1	6
——— and ——— explain payment to Pelaez.	1	9
Plan of "Tierra Amarilla," return to constitution of 1857; Pelaez army composed of landowners, small farmers.	1	12
American laborers of company had to get out, 1916-1918.	1	13
Demanded protection from company before returning.	1	13
Stevenson killed, many beat up; companies of Doheny, Tex., Gulf, and Cortes left on account bad conditions.	1	14
Doheny godfather of Indian children, treated them well and they liked him; did much for people and country; explanation of why Carranza soldiers are against Americans.	1	15
Carranza hostile against Americans; education of Mexicans in the United States causes them to hate us; ———; Bonillas educated here; married American woman; hates us.	1	16
Statement of Pelaez, what he would do if we intervened; letter from Felix Diaz to Pelaez, and answer thereto.	1	17

Mr. ———	Continued.	Part.	Page.
	Would not be as well protected under Carranza as under Pelaez; his pipe line 52 kilometers; Doheny pipe line 100 miles.	1	19
Mr. ———	.....	6	2
	Made study of history and character of Latin Americans; in Mexico September to October, 1919; relates travels and business in church work; conditions of travel next to impossible, except from Laredo to Mexico City; all trains carried armed guards; bridges temporary, dangerous.	6	3
	Monterrey fairly prosperous; laborers greatly reduced; Tampico lively and good business; some Mexican laborers paid by Americans as high as \$16 pesos a day, overtime, etc.; 4 to 12 pesos average wages for peons; in addition to above wages, house, lights, etc., given them, ice and water also, and corn sold to them at cost; Americans found them eight years before as peons, took them, educated them, and made finished artisans of them; peons received 25 to 50 centavos when they took charge of them eight years before.	6	6
	Prosperity in Tampico due to oil men; gives conditions in Pachuca, Queretaro, Torreón; only average, dull; calls Zacatecas "The city of the living dead"; only 9,000 inhabitants, against 75,000 a few years ago; no traffic, no work; only 300 men employed in that district.	6	9
	Cargador told him he had formerly been a foreman in a large smelter, receiving 12 to 14 pesos a day, now had to carry baggage as cargador; cause, the revolution; did not think any party in Mexico can bring peace; people living on prickly pears, tunas, very poor; no corn nor beans and tunas only to last two months; asked what would become of them when tunas were gone, answered "Quien sabe;" San Luis Potosi, poor people living on tunas, conditions bad; very little supplies in stores in Zacatecas and San Luis; church people, bad condition; no congregation; people all gone; poorly clad.	6	12
	Apathetic movements, half starved, pitiful; populace did not respond to music and parade of policemen; normal population of Mexico City 500,000, now 1,000,000; rural people crowded to city for lack of protection in their homes; can not imagine how they existed, no work for them; streets, very bad sanitary conditions; back streets an abomination; worst he ever saw, worse than the crude, filthy streets in China.	6	15
	Two hundred schools out of 360 lack funds; teachers went on strike; rapid-fire guns turned on them; Mexicans acknowledged it true some had been wounded; refutes statement of Douglas in Mexican Review of November, 1919, about good conditions there; beggars throng trains, men, women, and children; larger portion are not well dressed nor clean.	6	18
	Refutes statement of Dr. Winton, in his letter to League of Free Nations, under date of November 26, 1919, as to good conditions in Mexico; witness states that while he was traveling in Mexico there were 17 wrecks on trains and roads over which he traveled, showing that the country was not at peace; 13 of them were blowups and 3 removing fishplates and rails, causing destruction of several hundred lives; if that is peace, then they have peace in Mexico; Government controls about 25 or 30 per cent of the country; in those sections they have incursions of rebels.	6	21
	Calls attention to our consular agent, Jenkins, taken from second largest city in Mexico; gives pitiful account of starving children clawing and fighting over banana peels thrown out of window, proving that the "kiddies" were hungry.	6	23
	Pitiful story of hungry boy begging for fig peelings; everything of like nature thrown near track eaten by starving people.	6	24
	Disagrees with Inman that troubles of Mexico caused by American exploitation; says it is untrue; people of Mexico have been benefited by Americans; explains.	6	25
	Disagrees with Inman on class of Americans in Mexico.	6	26
	Only found one disreputable American and he was a lieutenant colonel in Carranza's army (see p. 136 of Inman's book); in given locality in United States would be hard to find a like class who did not measure up to class in Mexico; generally men trained for some particular trade go to Mexico; therefore better all-around class.	6	27

Mr. ———Continued.

Part Page.

Refutes statement made by Inman in letter to mission board, February, 1919, "Riot call," "Great missionary program to be destroyed," etc.; found general feeling among clergymen of Mexico disgusted with and very bitter toward Inman for his stories.....	6	29
Invited to a meeting in the city to protest as to Inman, but refused to hear anything as Inman was not present; feeling against him very bitter; "Wide in statement of fact, and missionaries not allowed to do propaganda work or take part in politics"; refutes Douglas statement about "Growing confidence in ability of Mexican officials to set Government on firm foundation".....	6	31
High officials told him present Government could not make good, neither could Obregon, and the election of Obregon meant another revolution; asked if Gonzalez was elected or if Carranza stays in what would be the outcome, answers "Another revolution".....	6	34
Another said he would fight intervention and the invader, but would surrender his arms, as he was a sensible Mexican; both Mexicans were loyal Federals and leading and influential men; another leading hacendado said intervention was the only thing for Mexico and bound to come; gives other interviews with leading men, Mexicans, all to same effect.....	6	35
Talked to many leading women of Mexico; 100 per cent wanted armed intervention by United States.....	6	35
Relates conversation with highly educated Mexican woman, who asked "How long are your American women and men going to permit us to be used as we are by our own people?" read whole story..	6	36
This conversation typical with all with whom he conversed; landlady at hotel asked them when is that American Army going to get down here and clean this thing up? Educated Mexican women not afraid of American soldier; knows the record they left at Veracruz; more afraid of her own soldiers than the American; Carranza army made up of penitentiary birds, press gang peons, recruits who lost all they had and enlisted in the army to get even.....	6	39
Relates of boy and others whom he saw with ears cut off by Villa, and officers had their privates cut off.....	6	40
Opinion mixed as to intervention by foreigners in Mexico; great majority against it, but thought United States could settle it; Spaniards 100 per cent for intervention; only way.....	6	41
Not able to say what should be done, but if armed intervention is the only way, the quicker the better; something must be done if we expect to be or to appear self-respecting; if course right in Spanish War, Philippines, Cuba, and Porto Rico, right in Mexico; does not believe educational, religious, or charitable projects can be successful in Mexico without material benefits that come from industrial enterprises; one needs the other.....	6	43
Estimate by people who know \$1,000,000,000 to \$2,000,000,000 needed to rehabilitate Mexico. \$150,000,000 needed for railroads alone, quotes English engineer; 15,000 miles of railroads in Mexico; recognized that force of arms necessary for distribution of money in Mexico; believes armed intervention inevitable; suggests that A. B. C. taken in on deal even if we had to pay all bills, to remove general distrust of United States.....	6	45
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